

2015 Regular Session

SENATE BILL NO. 101

BY SENATOR MORRELL AND REPRESENTATIVE TALBOT

TAX/TAXATION. Requires the Louisiana Workforce Commission to provide information to LED and LDR to verify payroll and employment of Louisiana residents for purposes of the motion picture investor tax credit. (7/1/15)

1 AN ACT

2 To amend and reenact R.S. 47:6007(B)(8) and (D)(5), relative to motion picture investor tax
3 credits; to provide for verification of the payroll portion of production expenditures;
4 to require information to be provided by the Louisiana Workforce Commission; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 47:6007(B)(8) and (D)(5) is hereby amended and reenacted to read
8 as follows:

9 §6007. Motion picture investment credit

10 * * *

11 B. Definitions. For the purposes of this Section:

12 * * *

13 (8) "Payroll" means all salary, wages, and other compensation, including
14 benefits paid to an employee for services relating to a state-certified production and
15 taxable in this state **as verified by the office and the Department of Revenue**
16 **through the use of information which shall be provided to them by the**
17 **Louisiana Workforce Commission.** However, "payroll" for purposes of the

1 additional tax credit for Louisiana-resident payroll shall exclude any portion of an
2 individual salary in excess of one million dollars.

3 * * *

4 D. Certification and administration

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6 (5) A motion picture production company applying for the additional credit
7 for the employment of Louisiana residents must remit a schedule to the Department
8 of Revenue, in a machine-sensible format approved by the secretary of the
9 Department of Revenue, that includes the following information: the names of all
10 persons who received salary, wages, or other compensation for services performed
11 in Louisiana in connection with the state-certified production, and the address,
12 taxpayer identification number, permanent address of, and the amount of
13 compensation for services performed in Louisiana received by each such person.

14 **Such information shall be verified by the office and/or by the Department of**
15 **Revenue through the use of information which shall be provided to them by the**
16 **Louisiana Workforce Commission.**

17 * * *

18 Section 2. This Act shall become effective on July 1, 2015; if vetoed by the governor
19 and subsequently approved by the legislature, this Act shall become effective on July 1,
20 2015, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Riley Boudreaux.

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Present law grants a motion picture investor tax credit as a percentage of the "base investment" made and used for "production expenditures" in the state for a "state-certified production". The term "production expenditures" includes "payroll" defined as all salary, wages, and other compensation, including benefits paid to an employee for services relating to a state-certified production and taxable in this state. An additional credit of 5% is allowed for the employment of Louisiana residents.

Proposed law requires the office of entertainment industry development in the Department of Economic Development and the Department of Revenue to verify such payroll through the use of information which must be provided to them by the Louisiana Workforce Commission.

Effective July 1, 2015.

(Amends R.S. 47:6007(B)(8) and (D)(5))