

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 331

2019 Regular Session

Leger

TAX CREDITS: Changes the sound recording investment credit to a refundable tax credit and authorizes an additional base investment tax credit for resident copyrighted sound recordings

Synopsis of Senate Amendments

1. Delete provisions authorizing any excess amounts of the QMC tax credit to be refunded to taxpayers and paid from the current tax collections.
2. Technical amendments.

Digest of Bill as Finally Passed by Senate

Present law authorizes a state income tax credit for investments made in state-certified productions until July 1, 2021. The tax credit shall be earned by investors at the time expenditures are certified by the Dept. of Economic Development (DED) according to the total base investment certified for the sound recording production company per calendar year. The aggregate amount of credits that can be certified each year is limited to \$2,160,000; however, 50% of the credits certified each year shall be reserved for QMCs.

Present law provides that the amount of the credit for each investor for state-certified productions received on or after July 1, 2017, is 18% of the base investment made by that investor in excess of \$25,000 or, if a resident of this state, in excess of \$10,000. Present law provides for the following additional tax credits for state-certified productions:

- (1) QMC Tier 1 payroll credit of 10% for each new job with a salary of \$35,000 through \$66,000 per year.
- (2) QMC Tier 2 payroll credit of 15% for each new job with a salary of \$66,000 or more.

Proposed law retains present law but adds an additional 10% increase in the base investment credit if the base investment is expended by a QMC on a sound recording production of a resident copyright. Proposed law defines a "resident copyright" as a copyright of a musical composition written by a La. resident or owned by a La. domiciled music company as evidenced by documents of ownership such as registrations with the U.S. Copyright Office or performing rights organizations which denote authors and music publishing entities.

Present law sets forth criteria a company must meet in order to be eligible for the QMC payroll credit. The criteria includes that the business be engaged directly or indirectly in the production, distribution, and promotion of music, that the business create a minimum of three new jobs meeting or exceeding the Tier 1 minimum wage requirements, and that the business be a music publisher, sound recording studio, booking agent, or artist management.

Proposed law retains present law but extends eligibility for the QMC payroll credit to applications that were submitted but that have not received final certification by July 1, 2019, and repeals the requirement that the business be a music publisher, sound recording studio, booking agent, or artist management in order to qualify for the QMC payroll.

Present law prohibits credits from being granted for applications received on or after July 1, 2021.

Proposed law changes present law by extending the credit from July 1, 2021, to July 1, 2026.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 47:6023(B)(6), (7), and (8), (C)(1)(d)(intro. para.), and (I); Adds R.S. 47:6023(B)(9) and (C)(1)(e); Repeals R.S. 47:6023(C)(4)(a)(iv) and (J))