

2015 Regular Session

SENATE BILL NO. 102

BY SENATOR MORRELL AND REPRESENTATIVE TALBOT

TAX/TAXATION. Prohibits certification for motion picture investor tax credits if expenditures for ATL services exceed 50% of total production expenditures. (1/1/16)

1 AN ACT

2 To enact R.S. 47:6007(B)(17) and (C)(1)(c)(iii), relative to motion picture investor tax  
3 credits; to prohibit certification for credits if certain expenditures exceed a certain  
4 percentage of production expenditures; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 47:6007(B)(17) and (C)(1)(c)(iii) are hereby enacted to read as  
7 follows:

8 §6007. Motion picture investor tax credit

9 \* \* \*

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

11 \* \* \*

12 **(17) "Above the Line (ATL) services" means services such as those of a**  
13 **producer, executive producer, line producer, coproducer, assistant producer,**  
14 **actor, director, casting director, screenwriter, and other services of job positions**  
15 **that are associated with the creative or financial control of a production and**  
16 **customarily considered as Above the Line services in the film and television**  
17 **industry.**

\* \* \*

C. Investor tax credit; specific productions and projects.

(1) There is hereby authorized a tax credit against state income tax for Louisiana taxpayers for investment in state-certified productions. The tax credit shall be earned by investors at the time expenditures are made by a motion picture production company in a state-certified production. However, credits cannot be applied against a tax or transferred until the expenditures are certified by the office and the secretary. For state-certified productions, expenditures shall be certified no more than twice during the duration of a state-certified production unless the motion picture production company agrees to reimburse the office for the costs of any additional certifications. The tax credit shall be calculated as a percentage of the total base investment dollars certified per project.

\* \* \*

(c) For state-certified productions approved by the office and the secretary on or after July 1, 2009:

\* \* \*

**(iii) With regards to any productions submitted to the office and the secretary for approval, or approved on or after January 1, 2016, no production shall be certified as a state-certified production, and no tax credit shall be earned or certified for any production expenditures, if the office and the secretary determine that the expenditures for Above the Line (ATL) services for the production will exceed, or has exceeded, fifty percent of total production expenditures in the state for the production.**

Section 2. The provisions of this Act shall apply to productions certified on and after January 1, 2016.

Section 3. This Act shall become effective on January 1, 2016.

