

CONFERENCE COMMITTEE REPORT

SB 102

2015 Regular Session

Morrell

June 11, 2015

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 102 by Senator Morrell, recommend the following concerning the Engrossed bill:

1. That House Committee Amendment Nos. 1 through 4, proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 28, 2015, be adopted.
2. That House Committee Amendment No. 5, proposed by the House Committee on Ways and Means and adopted by the House of Representatives on May 28, 2015, be rejected.
3. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 13, change "**fifty**" to "**forty**"

AMENDMENT NO. 2

On page 2, delete lines 24 and 25, and insert the following:

"July 1, 2015.

Section 3. This Act shall become effective on July 1, 2015, if and when the commissioner of administration and the Legislative Auditor provide written notice to the President of the Senate, the Speaker of the House of Representatives, and the Louisiana State Law Institute that they have determined that an Act or Acts were enacted in the 2015 Regular Session of the Legislature sufficient to offset any tax increases provided for in the Acts of such Session over a five year period."

Respectfully submitted,

Senators:

Senator Jean-Paul J. Morrell

Senator Jack Donahue

Senator Robert Adley

Representatives:

Representative Julie Stokes

Representative Joel C. Robideaux

Representative Walt Leger III

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

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and summary of the bill as proposed by the Conference Committee

TAX/TAXATION. Limits expenditures for ATL services eligible for motion picture investor credits to 40% of total production expenditures in the state. (1/1/16)

Report adopts House amendments to:

1. Make the proposed law apply based upon applications for productions received rather than upon certifications.

Report rejects House amendments which would have:

1. A provision which makes the proposed law effective upon the enactment of SB284, the SAVE bill, and HB828, the corporate franchise tax repeal bill.

Report amends the bill to:

1. Change the limitation on expenditures for ATL services which are eligible for the credit from 50% of total expenditures in the state to 40%.
2. Makes the proposed law effective if and when the commissioner of administration and the Legislative Auditor provide written notice to the President of the Senate, the Speaker of the House of Representatives, and the Louisiana State Law Institute that they have determined that an Act or Acts were enacted in the 2015 Regular Session of the Legislature sufficient to offset any tax increases provided for in the Acts of such Session over a five year period.

Digest of the bill as proposed by the Conference Committee

Present law allows a motion picture investor tax credit for a percentage of "production expenditures" by a movie production in the state.

Proposed law provides that the term "production expenditures" shall not include expenditures for "Above the Line" (ATL) services for the production that exceed 40% of total production expenditures in the state for the production.

"Above the Line (ATL) services" is defined as services such as those of a producer, executive producer, line producer, coproducer, assistant producer, actor, director, casting director, screenwriter, and other services of job positions that are associated with the creative or financial control of a production and customarily considered as above the line services in the film and television industry.

Applicable to productions with applications received by the office on and after July 1, 2015.

Proposed law is effective on July 1, 2015, if and when the commissioner of administration and the Legislative Auditor provide written notice to the President of the Senate, the Speaker of the House of Representatives, and the Louisiana State Law Institute that they have determined that an Act or Acts were enacted in the 2015 Regular Session of the Legislature sufficient to offset any tax increases provided for in the Acts of such Session over a five year period.

(Amends R.S. 47:6007(B)(10); adds R.S. 47:6007(B)(17))