ACT No. 417

HOUSE BILL NO. 678

BY REPRESENTATIVE STOKES

1	AN ACT				
2	To amend and reenact R.S. 47:6007(C)(l)(introductory paragraph) and (c)(i) and (D)(6) and				
3	to enact R.S. 47:6007(B)(17) and (18) and to repeal R.S. 47:6007(D)(8), relative to				
4	tax credits; to establish requirements for inclusion of certain Louisiana promotional				
5	content or activity related to productions eligible for certain entertainment industry				
6	tax credits; to provide with respect to the motion picture investor tax credit; to				
7	provide with respect to the digital interactive media and software tax credit; to				
8	provide for applicability; to provide for effectiveness; and to provide for related				
9	matters.				
10	Be it enacted by the Legislature of Louisiana:				
11	Section 1. R.S. 47:6007(C)(l)(introductory paragraph) and (c)(i) and (D)(6) are				
12	hereby amended and reenacted and R.S. 47:6007(B)(17) and (18) are hereby enacted to read				
13	as follows:				
14	§6007. Motion picture investor tax credit				
15	* * *				
16	B. Definitions. For the purposes of this Section:				
17	* * *				
18	(1) (17) "Alternative marketing opportunity" means an alternative marketing				
19	mechanism which has been approved by the office for a production as an alternative				
20	to a Louisiana promotional graphic.				
21	(18) "Louisiana promotional graphic" means a graphical brand or logo for				
22	promotion of the state which has been approved by the office for a production,				
23	consisting of either of the following:				

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1	(a) A five-second long static or animated graphic that promotes Louisiana
2	in the end credits before the below-the-line crew crawl for the life of the production,
3	and which includes a link to Louisiana on the production's website and online
4	promotions.
5	(b) An embedded five-second long static or animated graphic that promotes
6	Louisiana during each broadcast worldwide for the life of the production, and which
7	includes a link to Louisiana on the production's website and online promotions.
8	* * *
9	C. Investor tax credit; specific productions and productions projects.
10	(1) There is hereby authorized a tax credit against state income tax for
11	Louisiana taxpayers for investment in state-certified productions. The tax credit
12	shall be earned by investors at the time expenditures are made by a motion picture
13	production company in a state-certified production. However, credits cannot be
14	applied against a tax or transferred until the expenditures are certified by the office
15	and the secretary. For state-certified productions, expenditures shall be certified no
16	more than twice during the duration of a state-certified production unless the motion
17	picture production company agrees to reimburse the office for the costs of any
18	additional certifications. The tax credit shall be calculated as a percentage of the
19	total base investment dollars certified per production project.
20	* * *
21	(c) For state-certified productions approved by the office and the secretary
22	on or after July 1, 2009:
23	(i) If the total base investment is greater than three hundred thousand dollars,
24	each investor shall be allowed a tax credit of thirty percent of the base investment
25	made by that investor. However, if a state-certified production does not include a
26	Louisiana promotional graphic or an alternative marketing opportunity which has
27	been approved by the department for that specific production, the tax credit shall be

twenty-five percent of the base investment made by the investor.

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1	D.	Certification and administration.	

* * *

(6) Reports.

(a) With input from the Legislative Fiscal Office, the office shall prepare a written report to be submitted to the Senate Committee on Revenue and Fiscal Affairs and the House of Representatives Committee on Ways and Means no less than sixty days prior to the start of the Regular Session of the Legislature in 2007, and every second year thereafter. The report shall include the overall impact of the tax credits, the amount of the tax credits issued, the number of net new jobs created, the amount of Louisiana payroll created, the economic impact of the tax credits and film industry, and any other factors that describe the impact of the program.

- (b) The department shall include in its annual report detailing the alternative marketing opportunities it has approved in the most recently ended calendar year for tax credits earned for productions which employed an alternative marketing opportunity in lieu of a Louisiana promotional graphic, as provided in Item (C)(l)(i) of this Section. The report shall be provided annually on or before the first day of February to each member of the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs. The report shall include but not be limited to the following:
- (i) The goals and strategy behind each alternative marketing opportunity approved for state-certified productions.
- (ii) The names of all motion picture production companies approved by the office to provide alternative marketing opportunities.
- (iii) The estimated value to the state of each approved alternative marketing opportunity compared to the estimated value of a Louisiana promotional graphic.
- (iv) The names of all motion picture production companies who chose to include a Louisiana promotional graphic instead of offering the state an alternative marketing opportunity.

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Section 2. R.S. 47:6007(D)(8) is hereby repealed in its entirety.

1 Section 3. The provisions of this Act shall be applicable to productions receiving 2 initial certification on or after August 1, 2015. 3 Section 4. The Louisiana State Law Institute is hereby directed to renumber the 4 paragraphs within R.S. 47:6007(B). 5 Section 5. This Act shall become effective on July 1, 2015; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 6 7 2015, or on the day following such approval by the legislature, whichever is later. SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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APPROVED: _____