

2015 Regular Session

HOUSE BILL NO. 678

BY REPRESENTATIVE STOKES

1 AN ACT

2 To amend and reenact R.S. 47:6007(C)(1)(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)(1)(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 ~~(17)~~ (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:

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

29 * * *

1 D. Certification and administration.

2 * * *

3 (6) Reports.

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

12 (b) The department shall include in its annual report detailing the alternative
13 marketing opportunities it has approved in the most recently ended calendar year for
14 tax credits earned for productions which employed an alternative marketing
15 opportunity in lieu of a Louisiana promotional graphic, as provided in Item (C)(1)(i)
16 of this Section. The report shall be provided annually on or before the first day of
17 February to each member of the House Committee on Ways and Means and the
18 Senate Committee on Revenue and Fiscal Affairs. The report shall include but not
19 be limited to the following:

20 (i) The goals and strategy behind each alternative marketing opportunity
21 approved for state-certified productions.

22 (ii) The names of all motion picture production companies approved by the
23 office to provide alternative marketing opportunities.

24 (iii) The estimated value to the state of each approved alternative marketing
25 opportunity compared to the estimated value of a Louisiana promotional graphic.

26 (iv) The names of all motion picture production companies who chose to
27 include a Louisiana promotional graphic instead of offering the state an alternative
28 marketing opportunity.

29 * * *

30 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
6 and subsequently approved by the legislature, this Act shall become effective on July 1,
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

APPROVED: _____