

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3755

By: Fetgatter

6 AS INTRODUCED

7 An Act relating to film production incentives;
8 amending 68 O.S. 2021, Section 3635, which relates to
9 supplemental rebate amounts for certain actions;
clarifying rebate percentage amounts; and updating
references.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 68 O.S. 2021, Section 3635, is
14 amended to read as follows:

15 Section 3635. A. Subject to the final approval of the
16 eligibility application by the Oklahoma Department of Commerce, a
17 requirement that the incentive payments made pursuant to the
18 provisions of this act achieve the maximum positive impact for the
19 Oklahoma economy and subject to the Oklahoma workforce requirements
20 of Section 7 3637 of this ~~act~~ title, the base incentive amount for a
21 project filmed in this state shall be a maximum of twenty percent
22 (20%) of the qualified production expenditure amount. An incentive
23 for a project filmed in this state for wages paid to nonresident
24 crew, not including above-the-line personnel, before July 1, 2023,

1 shall be provided in the amount of seven and one-half percent
2 (7.5%) .

3 B. In addition to the amount authorized by subsection A of this
4 section, there may be an additional incentive amount, subject to the
5 final approval of the eligibility application by the Oklahoma
6 Department of Commerce, in the ~~maximum~~ amount of:

7 1. Three percent (3%) of the qualified production expenditure
8 amount for projects where at least twenty-five percent (25%) of main
9 crew principal photography days are filmed on location, excluding
10 sound stage production, in any county of this state if the county
11 has a population of less than two hundred fifty thousand (250,000)
12 persons according to the Federal Decennial Census or most recent
13 population estimate;

14 2. Two percent (2%) of the qualified production expenditure
15 amount for projects whose hub location, as determined by the
16 Department, is or projects where at least twenty-five percent (25%)
17 of main crew principal photography days are filmed on location,
18 excluding sound stage production, in a municipality having a
19 population of thirteen thousand (13,000) or fewer persons according
20 to the Federal Decennial Census or most recent population estimate
21 regardless of the county in which the municipality is located or
22 partially located;

23 3. Five percent (5%) of the qualified production expenditure
24 amount for soundstage expenditures if at least twenty-five percent

1 (25%) of main crew principal photography days are filmed at a
2 qualified soundstage facility;

3 4. For eligible television series as defined in paragraph 4 of
4 Section ~~2~~ 3632 of this ~~act~~ title:

5 a. two percent (2%) of the qualified production
6 expenditure amount for an eligible television episodic
7 pilot, and

8 b. five percent (5%) of the qualified production
9 expenditure amount if a television series is filmed
10 for one or more seasons;

11 5. Five percent (5%) of the qualified production expenditure
12 amount for an eligible multi-film deal as defined in paragraph 7 of
13 Section ~~2~~ 3632 of this ~~act~~ title; and

14 6. Three percent (3%) of the qualified production expenditure
15 amount based on expenditures paid to Oklahoma vendors for post-
16 production expenses with a minimum expenditure of three percent (3%)
17 of Oklahoma production expenditures. Post-production expenditures
18 include but are not limited to the following categories:

- 19 a. sound recording or mixing,
20 b. color grading,
21 c. editorial work,
22 d. visual effects,
23 e. animation,
24 f. deliverables, excluding marketing and advertising,

- g. music production, recording, mixing or composition,
- h. licensing of Oklahoma music, and
- i. editing equipment or editing facility rental.

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