

Bill Summary
1st Session of the 58th Legislature

Bill No.:	SB 608
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Author:	Sen. Hall
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Bill Analysis

SB 608 creates the Filmed in Oklahoma Act of 2021. The measure provides for the establishment of an incentive rebate program for certain film projects and eligible television series projects filmed or produced in Oklahoma that meet the requirements outlined in the measure. Such projects must provide evidence that all Oklahoma crew and local vendors have been paid and that there are no pending liens against the production company, file appropriate tax returns, provide evidence of financing for production prior to the commencement of principal photography, provide evidence of a certificate of general liability insurance with a minimum coverage of \$1 million and a workers' compensation policy, and provide evidence that the projects are completed. Companies cannot simultaneously claim the rebate and the sales tax exemption provided for in current law or the rebate provided in the Compete with Canada Film Act. If a production company has received the exemption from sales taxes and submits a claim for rebate pursuant to the provisions of this act, the company shall be required to fully repay the amount of the exemption to the Tax Commission.

The program shall be administered by the Oklahoma Department of Commerce and the Oklahoma Tax Commission. The Department shall be required to submit an annual report to the President Pro Tempore of the Seante, Speaker of the House, the Chair of the Appropriations and Budget Committee of the House of Representatives, the Chair of the Appropriations Committee of the Senate, and the Director of the Legislative Office of Fiscal Transparency detailing the program and incentive rebate payments on October 1 of each year. The total amount of rebate payments conditionally pre-qualified by the Department of Commerce each fiscal year shall not exceed \$30 million.

The measure also caps the amount of rebates awarded to projects based on the expenditure of the individual project. The base incentive amount for a project filmed in this state shall be a maximum of 20% of the qualified production expenditure amount. An incentive for a project filmed in this state for wages paid to nonresident crew, not including above-the-line personnel, before July 1, 2023, shall be provided in the amount of 7.5%. The measure provides additional incentives to projects that film or locate in certain areas outlined in the measure. The measure also requires projects to utilize apprentices and display a Department-approved logo in the end credits to qualify for the rebate. Additionally, the measure creates the Filmed in Oklahoma Program Revolving Fund and provides for \$30 million to be transferred to the Fund using monies derived from the income tax.

CCR Changes

The Conference Committee for SB 608 is a substitute for engrossed language to the House.

Prepared by: Kalen Taylor