

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB737
Of the printed Bill
Page Section Lines
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted:

Amendment submitted by: Scott Fetgatter

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 FLOOR SUBSTITUTE  
4 FOR ENGROSSED

5 SENATE BILL NO. 737

6 By: Hall of the Senate

7 and

8 Fetgatter of the House

9 FLOOR SUBSTITUTE

10 An Act relating to film rebate incentives; amending  
11 68 O.S. 2021, Sections 3635 and 3638, which relates  
12 to the Filmed in Oklahoma Act of 2021; modifying  
13 period for certain rate of reimbursement; modifying  
14 requirements to provide certain promotional materials  
15 for this state; updating statutory reference;  
16 clarifying statutory language; and declaring an  
17 emergency.

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

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

21 Section 3635. A. Subject to the final approval of the  
22 eligibility application by the Oklahoma Department of Commerce, a  
23 requirement that the incentive payments made pursuant to the  
24 provisions of ~~this act~~ the Filmed in Oklahoma Act of 2021 achieve  
the maximum positive impact for the Oklahoma economy and subject to  
the Oklahoma workforce requirements of ~~Section 7 of this act~~ Section

1 3637 of this title, the base incentive amount for a project filmed  
2 in this state shall be a maximum of twenty percent (20%) of the  
3 qualified production expenditure amount. An incentive for a project  
4 filmed in this state for wages paid to nonresident crew, not  
5 including above-the-line personnel, before ~~July 1, 2023~~ April 1,  
6 2023, shall be provided in the amount of seven and one-half percent  
7 (7.5%).

8 B. In addition to the amount authorized by subsection A of this  
9 section, there may be an additional incentive amount, subject to the  
10 final approval of the Oklahoma Department of Commerce, in the  
11 maximum amount of:

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

19 2. Two percent (2%) of the qualified production expenditure  
20 amount for projects whose hub location, as determined by the  
21 Department, is ~~or~~ for projects where at least twenty-five percent  
22 (25%) of main crew principal photography days are filmed on  
23 location, excluding sound stage production, in a municipality having  
24 a population of thirteen thousand (13,000) or fewer persons

1 according to the ~~federal~~ Federal Decennial Census or most recent  
2 population estimate regardless of the county in which the  
3 municipality is located or partially located;

4 3. Five percent (5%) of the qualified production expenditure  
5 amount for soundstage expenditures if at least twenty-five percent  
6 (25%) of main crew principal photography days are filmed at a  
7 qualified soundstage facility;

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

10 a. two percent (2%) of the qualified production  
11 expenditure amount for an eligible television episodic  
12 pilot, and

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

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

19 6. Three percent (3%) of the qualified production expenditure  
20 amount based on expenditures paid to Oklahoma vendors for post-  
21 production expenses with a minimum expenditure of three percent (3%)  
22 of Oklahoma production expenditures. Post-production expenditures  
23 include but are not limited to the following categories:

24 a. sound recording or mixing,

- b. color grading,
- c. editorial work,
- d. visual effects,
- e. animation,
- 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.

SECTION 2. AMENDATORY 68 O.S. 2021, Section 3638, is amended to read as follows:

Section 3638. All production projects for which any incentive is paid pursuant to the provisions of this act shall contain a logo, as approved by the Oklahoma Department of Commerce, to be displayed in the ~~end~~ credits of the finished production for a period of at least five (5) seconds or, if the production does not contain ~~end~~ credits, the Oklahoma Department of Commerce shall obtain a commitment by the production company to provide equivalent value as determined by the Oklahoma Department of Commerce.

SECTION 3. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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