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House Bill 560

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED AN ACT

- 1 To amend Code Section 48-7-40.26 of the Official Code of Georgia Annotated, relating to
- 2 an income tax credit for film, gaming, video, or digital production in Georgia, so as to
- 3 provide that production expenditures incurred in the production of televised commercial
- 4 advertisements in this state may be aggregated to meet the base investment to earn such tax
- 5 credit; to revise definitions; to provide for related matters; to repeal conflicting laws; and for
- 6 other purposes.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.** 9 Code Section 48-7-40.26 of the Official Code of Georgia Annotated, relating to an income 10 tax credit for film, gaming, video, or digital production in Georgia, is amended by revising 11 paragraphs (9) and (13) of subsection (b) as follows: 12 "(9) 'Qualified Georgia promotion' means a qualified promotion of this state approved by the Department of Economic Development consisting of a: 13 14 (A) Qualified movie production which includes a five-second long static or animated 15 logo that promotes Georgia in the end credits before the below-the-line crew crawl for the life of the project and which includes a link to Georgia on the project's web page; 16 17 (B) Qualified TV production which includes an embedded five-second long Georgia promotion during each broadcast worldwide for the life of the project and which 18 19 includes a link to Georgia on the project's web page; (C) Qualified music video which includes the Georgia logo at the end of each video 20 21 and within online promotions; or 22 (D) Qualified interactive game which includes a 15 second long Georgia advertisement 23 in units sold and embedded in online promotions; or 24 (E) Qualified televised commercial advertisement produced in this state that includes the Georgia logo at the end of each televised commercial advertisement." 25

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"(13) 'State certified production' means a production engaged in qualified production activities which have been approved by the Department of Economic Development in accordance with regulations promulgated pursuant to this Code section, or the production of one or more televised commercial advertisements that are certified by the Department of Economic Development as exceeding \$500,000.00 in aggregate of production expenditures by one production company in a calendar year. In the instance of a 'work for hire' in which one production company or qualified interactive entertainment production company hires another production company or qualified interactive entertainment production company to produce a project or contribute elements of a project for pay, the hired company shall be considered a service provider for the hiring company, and the hiring company shall be entitled to the film tax credit."

SECTION 2.

38 All laws and parts of laws in conflict with this Act are repealed.