

By Senator Detert

23-01141A-11

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1 A bill to be entitled
2 An act relating to a financial incentive program for
3 Florida's entertainment industry; amending s.
4 288.1254, F.S.; modifying the definition for the term
5 "off-season certified production"; amending s.
6 288.1258, F.S.; clarifying the calculations made by
7 the Office of Film and Entertainment for its annual
8 sales and use tax report to the Legislature; providing
9 an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Paragraph (d) of subsection (1) of section
14 288.1254, Florida Statutes, is amended to read:

15 288.1254 Entertainment industry financial incentive
16 program.—

17 (1) DEFINITIONS.—As used in this section, the term:

18 (d) "Off-season certified production" means a feature film,
19 independent film, or television series or pilot which films 75
20 percent or more of its principal photography days from June 1
21 through November 30 or a high-impact television series that
22 films principal photography during at least 75 percent of the
23 days between June 1 through November 30.

24 Section 2. Subsection (5) of section 288.1258, Florida
25 Statutes, is amended to read:

26 288.1258 Entertainment industry qualified production
27 companies; application procedure; categories; duties of the
28 Department of Revenue; records and reports.—

29 (5) RELATIONSHIP OF TAX EXEMPTIONS AND INCENTIVES TO

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30 INDUSTRY GROWTH; REPORT TO THE LEGISLATURE.—The Office of Film
31 and Entertainment shall keep annual records from the information
32 provided on taxpayer applications for the tax exemption
33 ~~certificates beginning January 1, 2001~~. These records shall be
34 used to facilitate the following calculations:

35 (a) The ~~reflect~~ a ratio of the annual amount of sales and
36 use tax exemptions estimated under this section, plus the annual
37 amount of tax credits applied against state tax liability under
38 ~~and incentives awarded pursuant to s. 288.1254,~~ to the estimated
39 amount of funds expended by all Florida ~~certified~~ productions
40 approved for sales tax exemptions, including productions that
41 received incentives under ~~pursuant to s. 288.1254.~~ ~~These records~~
42 ~~also shall reflect a separate~~

43 (b) For productions certified under s. 288.1254, the ratio
44 of the annual amount of sales and use tax exemptions reported
45 under this section, plus the total tax credits applied against
46 state tax liability under ~~incentives awarded pursuant to s.~~
47 ~~288.1254,~~ to the ~~estimated~~ amount of production expenditures
48 reported by the taxpayer ~~funds expended by certified~~
49 ~~productions.~~

50
51 In addition, the office shall, in consultation with the Agency
52 for Workforce Innovation, organize the ~~maintain~~ data showing
53 annual growth in Florida-based entertainment industry companies
54 and entertainment industry employment and wages. The Office of
55 Film and Entertainment shall report this information to the
56 Legislature by ~~no later than~~ December 1 of each year.

57 Section 3. This act shall take effect July 1, 2011.