STATE OF NEW YORK

5537

2021-2022 Regular Sessions

IN SENATE

March 10, 2021

Introduced by Sen. BENJAMIN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the tax law, in relation to expanding the definition of a qualified post production facility to include certain services performed outside the state

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph 4 of subdivision (b) of section 31 of the tax law, as added by section 12 of part Q of chapter 57 of the laws of 2010, is amended to read as follows:

(4) "Qualified post production facility" means a post production facility located in the state, engaged in finishing a qualified film. **For the purposes of this section, the performance of services outside the state shall be deemed to be conducted at a qualified post production facility when such services are on behalf of a project contracted with a qualified post production facility and whose projects are taxable by the state as provided by 20 NYCRR 132.18 or otherwise. Such eligible labor expenses shall be incorporated into the calculation of total qualified post production costs for the purpose of determining a project's eligibility under program guidelines.**

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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