

New York State
Department of
Taxation and Finance



Report on the Empire State Film Production Tax Credit

August 2010

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Introduction

Chapter 60 of the Laws of 2004 created the Empire State film production credit to promote film and television production in New York State. The credit is available under Article 9-A, the Franchise Tax on Business Corporations, and Article 22, the Personal Income Tax. As enacted, the credit was limited to \$25 million annually and was scheduled to expire on August 20, 2008. The credit has since been amended three times.

Chapters 61 and 62 of the Laws of 2006 increased the annual credit cap to \$60 million and extended the sunset through December 31, 2011.

Chapter 57 of the Laws of 2008 made several significant changes to the program. It increased the credit rate from 10 percent to 30 percent of qualified production costs. It also shortened the credit refund period from 50 percent over two years to 100 percent in one year. Finally, the total amount of credit that can be awarded was increased from \$60 million annually in 2008 through 2011 to \$65 million in 2008, \$75 million in 2009, \$85 million in 2010, \$90 million in 2011 and 2012, and \$110 million in 2013.

Chapter 57 of the Laws of 2009 authorized an additional \$350 million allocation for 2009. It also required the use of the credit to be spread across several years, depending on the size of the credit:

If the amount of the credit is:	it is claimed:
under \$1 million	in the taxable year in which the film is completed
at least \$1 million but less than \$5 million	over a two year period, with half claimed each year
at least \$5 million	over a three year period, with one-third claimed each year.

The credit is administered by the Governor’s Office for Motion Picture and Television Development (MP/TV), which is the entity also responsible for monitoring the status of the credit cap.

Chapter 60 of the Laws of 2004 also mandated an annual report evaluating the effectiveness of the tax credit in stimulating the growth of the film industry in the State. This report was prepared by the Office of Tax Policy Analysis (OTPA) and MP/TV using data from applications filed with MP/TV for allocation of film production credits.

Credit Eligibility and Calculation

A taxpayer that is a qualified film production company subject to tax under Articles 9-A or 22 can apply to MP/TV to receive the refundable, 30 percent Empire State Film Production Credit.

To become a qualified production company, 75 percent of film production facility expenditures must be spent at a qualified film production facility, defined as a facility in New York in which television shows and films are or are intended to be regularly produced, and which contains at least one sound stage of at least 7,000 square feet.

Productions that qualify for the credit are feature length films or television films, pilots, or series. Documentaries, news or current affairs programs, interview or talk shows, instructional videos, sport shows or events, daytime soap operas, reality programs, commercials, and music videos do not qualify for the credit.

Taxpayers meeting the test above can qualify for a credit of 30 percent of qualified costs incurred at the facility. Qualified costs are costs for tangible property or services used or performed within New York directly and predominantly in the production (including post production) of a qualified film. Qualified production costs generally include most below the line items such as costs of technical and crew production, expenditures for facilities, props, makeup, wardrobe, set construction, and background talent, and exclude costs of stories and scripts, and wages for writers, directors, producers, and performers (other than extras without spoken lines).

Above the line and *below the line* are terms of art in the film and television industry referring to divisions of categories or types of spending on the budget form. *Above the line* typically means fees and salaries for the creative team (director, producers, actors, writers) and the cost of purchase of the story and/or script, while *below the line* refers to all the other the “hard” costs of production (crew salaries, equipment and facilities rental, film and lab costs, construction, materials, props, makeup, wardrobe, locations, editing, and catering -- essentially everything else involved in production of the film).

If a production has met the 75 percent test for production facility expenditures as described above, it may also qualify for the tax credit based upon qualified expenditures outside the qualified facility that are related to pre-production, location production, and post production in New York in one of two possible ways:

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- 1) if the qualified New York expenditures related to the qualified production facility total \$3 million or more, then all qualified expenditures related to pre-production, location, and post production in New York State qualify for the credit;
 - 2) if expenditures at the qualified production facility are less than \$3 million, the production must shoot at least 75 percent of all its location days in New York State in order to include expenditures incurred in New York State outside the qualified production facility on pre-production, production, and post production. The 75 percent threshold applies to a percent of the total location days only, not to the total shoot days. Shooting days spent at facilities are not used to calculate this threshold; the test is the ratio of shooting days spent on locations anywhere in New York State compared to shooting days on locations outside of New York State.

Credit Application and Allocation

Governor's Office for Motion Picture and Television Development issues credits up to the amount of the annual aggregate credit allocation authorized by law for a particular year. The credit is offered on a first come, first serve basis. Applicants "rollover" or move into the next year's funding cycle if the credit limit is reached. Applications for the credit must be submitted to MP/TV not more than 180 days prior to the start of principal and ongoing photography.

To apply for the credit, a production company must first submit an initial application that leads to conditional approval of the project. Applicants provide data, such as the type of production, production schedule, and location information, and projected expenditures that help MP/TV determine if a given production is eligible and qualified to participate in some aspect of the tax incentive program. Projections are provided for items such as estimated total budget, expenditures at a qualifying production facility, estimates of shooting days and expenditures in New York, and estimates of shooting days and expenditures outside of New York.

After reviewing the information provided in the initial application, MP/TV makes a preliminary determination whether to certify the applicant for conditional eligibility in the program.

After the production is complete, the applicant submits a final application to MP/TV detailing actual expenditures both within and without New York demonstrating that the required thresholds were met, as well as additional supporting data, such as a payroll expenditure report, a complete cast and crew list, and daily production reports. Based on a review of these documents, MP/TV determines the amount of credit earned by the applicant and provides a tax credit certificate specifying the amount of tax credit allocated.

The applicant includes this credit allocation certificate with its tax return for the year in which the credit is allowed. The credit is applied to the New York State tax liability of the applicant that owns or controls the applicable qualified film for the year in which the production was completed. If the taxpayer uses the credit to extinguish its tax liability but still has credit remaining, it may request the excess credit as a refund.

Legislative Mandate

Section 8 of Part P of Chapter 60 of the Laws of 2004 requires the Commissioner of Taxation and Finance to conduct a study regarding the Empire State Film Production Credit, in conjunction with the Director of the Governor's Office for Motion Picture and Television Development. The legislative mandate follows:

The commissioner of the department of taxation and finance, in conjunction with the director of the governor's office for motion picture and television development, shall submit to the governor, the temporary president of the senate, and the speaker of the assembly, an annual report to be submitted in February of each year evaluating the effectiveness of the film production tax credit provided by this act in stimulating the growth of the film industry in the state. Such report shall include, but not be limited to, in total and by qualified film, the number of qualified films, the qualified production costs, the production costs, the qualified film production facilities, and the credit amounts claimed by each qualified film, as well as the impact on employment and the economy of the state and city of New York. Such report shall be based on data available from the application filed with the governor's office for motion picture and television development for allocation of film production credits. Notwithstanding any provision of law to the contrary, the information contained in the report shall be public information. The report may also include any recommendations for changes in the calculation or administration of the credit, and any other recommendation of the commissioner regarding continuing modification, or repeal of such act, and such other information regarding the act as the commissioner may feel useful and appropriate.

Statistical Data

Data Considerations

The following tables present information for taxpayers claiming the Empire State Film Production Credit from the 2004 through 2012 allocation pools. The primary source of the data is forms and applications filed with the Office of Motion Picture and Television Development (MP/TV). MP/TV analyzes the submitted materials and determines the amount of credit for which each applicant is eligible. To protect proprietary and sensitive information, productions are identified by a project number instead of by name.

The credit amounts are the amounts approved by MP/TV after their review and adjustments for disallowed costs. MP/TV issues a certificate to the applicant stating the amount of credit it may claim on its tax return. The credit amounts reported here are amounts calculated by MP/TV and issued on the certificate.

These data are not tax data. They do not reflect amounts actually used to reduce liability or requested as a refund. Such information will appear on tax returns that will not be final and verified for several years due to taxpayer extensions and varying fiscal years.

2006 is the most recent tax year for which there is final data for both Personal Income and Corporate Franchise Taxes. According to tax returns filed with the Tax Department, taxpayers used and refunded a total of \$42.6 million in credit in 2006. This is an increase from \$14.6 million in 2005. Amounts reported on tax returns are subject to Tax Department audit and adjustment for three years after the filing date.

The legislative mandate requires an evaluation of the effectiveness of the tax credit in stimulating the growth of the film industry in the state. The MP/TV tables present data on project spending, employment¹, and shooting days as one way of measuring the performance of the credit and illustrating its economic impact. These measures are consistent with the mandate's requirement that the report be based on data from credit applications filed with MP/TV.

¹Employment figures include all individuals who worked directly on the production, regardless of duration or function. Therefore, they would include individuals employed part-time, extras, and above-the-line talent. Above-the-line costs do not qualify for the credit, however.

Description of Tables	Year	The year of the allocation pool from which the production was awarded credit
	Total Qualified Costs	The total of all costs approved as qualified by MP/TV for the tax credit after review and revision of the Form E submitted
	Credit Amount	The amount of the tax credit ultimately approved as credit by MP/TV after review and revision of final application
	Cumulative Total Credit \$\$	The cumulative total of all tax credits approved by MP/TV; this is essential for monitoring the status of the credit relative to the aggregate cap
	Total Production Hires	The total of all employees who worked on the production in New York State as listed on Form D: Section 5-2-a
	Stage Days NYC	Days cameras roll on principal photography at a qualified production facility located within the five boroughs of New York City
	Stage Days NYS	Days cameras roll on principal photography at a qualified production facility located within New York State but <i>outside</i> New York City
	Stage Days Outside NYS	Days cameras roll on principal photography at a production facility located outside New York State
	Total Stage Days	Total of all days cameras roll on principal photography at a production facility anywhere
	Location Days NYC	Days cameras roll on principal photography within the five boroughs of New York City <i>not</i> at a qualified production facility

Location Days NYS	Days cameras roll on principal photography within New York State <i>outside</i> New York City and <i>not</i> at a qualified production facility
Total Location Days NYC & NYS	Total all days cameras roll on principal photography within New York State (including New York City) <i>not</i> at a qualified production facility
Location Days Outside NYS	Days cameras roll on principal photography on any location outside New York State <i>not</i> at a production facility
Total Location Days	Total all days cameras roll on principal photography within and without New York State (including New York City) <i>not</i> at a production facility
Total Shoot Days	Total all days cameras roll on principal photography anywhere, within and without New York State (including New York City), including days within and without a production facility

Table 1: Tax Credits Issued: August 2004 through December 31, 2009

<u>Project</u>	<u>Year</u>	<u>Project Type</u>	<u>Total New York Spend</u>	<u>Total Qualified Costs</u>	<u>Credit Amount</u>	<u>Cumulative Total Credit \$\$</u>	<u>Total Production Hires</u>
Project 1	2004	Feature Film	\$ 7,512,851	\$ 4,691,932	\$ 469,193	\$ 469,193	397
Project 2	2004	TV Series	29,895,348	13,243,447	1,324,345	1,793,538	217
Project 3	2004	TV Series	28,923,069	19,753,552	1,975,355	3,768,893	1,816
Project 4	2004	TV Series	5,430,552	3,697,024	369,702	4,138,595	951
Project 5	2004	Feature Film	7,093,466	5,679,201	567,920	4,706,515	887
Project 6	2005	TV Pilot	4,614,276	3,800,670	380,067	5,086,582	806
Project 7	2005	TV Pilot	3,838,248	2,771,301	277,130	5,363,712	694
Project 8	2005	TV Pilot	4,804,483	3,675,025	367,503	5,731,215	585
Project 9	2005	TV Pilot	3,406,562	2,244,026	224,403	5,955,618	551
Project 10	2004	TV Series	41,135,930	25,876,168	2,587,617	8,543,235	1,294
Project 11	2005	Feature Film	30,880,630	16,003,351	1,600,335	10,143,570	2,356
Project 12	2004	TV Series	54,809,116	29,601,097	2,960,110	13,103,680	5,025
Project 13	2004	TV Series	49,367,671	27,266,874	2,726,687	15,830,367	2,416
Project 14	2006	Feature Film	1,309,029	868,286	86,828	15,917,195	277
Project 15	2004	Feature Film	50,959,137	33,283,015	3,328,301	19,245,496	2,057
Project 16	2004	Feature Film	15,703,598	8,718,876	871,888	20,117,384	1,331
Project 17	2005	TV Pilot	4,464,707	3,466,497	346,650	20,464,034	851
Project 18	2004	TV Series	22,090,130	14,822,651	1,482,265	21,946,299	717
Project 19	2005	TV Series	4,364,517	3,509,648	350,965	22,297,264	175
Project 20	2006	Feature Film	2,176,543	1,531,395	153,139	22,450,403	393
Project 21	2004	TV Series	23,495,464	14,716,553	1,471,655	23,922,058	802
Project 22	2004	Feature Film	5,466,445	4,353,893	435,389	24,357,447	1,148
Project 23	2005	TV Series	15,878,725	11,094,606	1,109,461	25,466,908	2,041
Project 24	2006	Feature Film	2,326,814	1,787,911	178,791	25,645,699	421
Project 25	2005	Feature Film	1,863,382	1,314,669	131,467	25,777,166	487
Project 26	2005	TV Pilot	3,956,275	2,832,113	283,211	26,060,377	803
Project 27	2005	Feature Film	40,554,639	19,591,891	1,959,189	28,019,566	2,150
Project 28	2006	TV Series	15,469,462	10,353,238	1,035,324	29,054,890	1,612
Project 29	2006	TV Pilot	7,444,652	6,170,624	617,062	29,671,952	798
Project 30	2005	Feature Film	7,832,501	5,781,632	578,163	30,250,115	704
Project 31	2006	TV Pilot	4,708,584	3,790,888	379,088	30,629,203	695
Project 32	2006	TV Pilot	5,259,257	4,157,437	415,744	31,044,947	714
Project 33	2005	TV Series	51,060,164	34,301,256	3,430,125	34,475,072	2,556
Project 34	2006	TV Series	53,983,863	32,795,975	3,279,597	37,754,669	3,830
Project 35	2006	TV Series	28,729,421	12,955,966	1,295,596	39,050,265	982
Project 36	2006	TV Pilot	4,916,972	3,245,976	324,597	39,374,862	797
Project 37	2006	TV Pilot	3,949,913	2,003,216	200,322	39,575,184	658
Project 38	2006	TV Pilot	3,047,999	2,174,875	217,487	39,792,671	400
Project 39	2006	TV Pilot	5,515,254	4,229,082	422,908	40,215,579	1,183
Project 40	2005	Feature Film	1,339,147	1,005,597	100,560	40,316,139	305
Project 41	2007	TV Pilot	5,180,685	3,796,349	379,635	40,695,774	403
Project 42	2005	TV Series	19,837,359	14,020,621	1,402,062	42,097,836	3,384
Project 43	2006	Feature Film	6,983,087	5,056,273	505,627	42,603,463	996
Project 44	2006	Feature Film	19,724,906	13,552,249	1,355,225	43,958,688	1,057
Project 45	2006	Feature Film	3,500,324	2,468,552	246,855	44,205,543	460
Project 46	2006	TV Pilot	3,213,725	2,641,802	264,180	44,469,723	445
Project 47	2005	Feature Film	3,612,636	2,812,666	281,267	44,750,990	355
Project 48	2005	Feature Film	1,574,231	1,200,913	120,091	44,871,081	358
Project 49	2006	Feature Film	1,612,515	1,590,872	159,087	45,030,168	393
Project 50	2006	Feature Film	2,990,070	1,846,186	184,619	45,214,787	391

Table 1: Tax Credits Issued: August 2004 through December 31, 2009

<u>Project</u>	<u>Year</u>	<u>Project Type</u>	<u>Total New York Spend</u>	<u>Total Qualified Costs</u>	<u>Credit Amount</u>	<u>Cumulative Total Credit \$\$</u>	<u>Total Production Hires</u>
Project 51	2006	Feature Film	\$ 8,224,119	\$ 5,150,301	\$ 515,030	\$ 45,729,817	914
Project 52	2007	TV Series	27,134,133	15,707,627	1,570,763	47,300,580	863
Project 53	2005	Feature Film	15,058,262	11,918,993	1,191,899	48,492,479	581
Project 54	2006	Feature Film	18,771,167	14,720,453	1,472,045	49,964,524	791
Project 55	2005	Feature Film	826,075	660,860	66,086	50,030,610	-
Project 56	2005	Feature Film	2,562,539	1,788,295	178,830	50,209,440	325
Project 57	2005	Feature Film	4,176,900	3,183,191	318,319	50,527,759	677
Project 58	2006	Feature Film	127,179	116,024	11,602	50,539,361	29
Project 59	2006	Feature Film	35,905,191	19,644,064	1,964,406	52,503,767	4,081
Project 60	2004	TV Series	5,929,140	4,295,337	429,534	52,933,301	840
Project 61	2006	Feature Film	1,907,778	1,480,653	148,065	53,081,366	281
Project 62	2006	Feature Film	3,738,997	2,681,754	268,175	53,349,541	651
Project 63	2005	Feature Film	447,493	356,934	35,693	53,385,234	95
Project 64	2005	Feature Film	31,053,028	23,040,124	2,304,013	55,689,247	3,648
Project 65	2005	Feature Film	1,087,404	973,033	97,304	55,786,551	419
Project 66	2007	Feature Film	2,304,843	1,616,116	161,612	55,948,163	218
Project 67	2005	Feature Film	38,871,413	26,607,393	2,660,740	58,608,903	1,143
Project 68	2005	Feature Film	430,510	382,514	38,252	58,647,155	105
Project 69	2006	Feature Film	3,245,172	2,368,065	236,807	58,883,962	588
Project 70	2005	Feature Film	3,583,588	3,250,247	325,025	59,208,987	500
Project 71	2006	Feature Film	4,657,592	3,953,265	395,327	59,604,314	996
Project 72	2005	Feature Film	13,339,484	8,616,419	861,642	60,465,956	1,128
Project 73	2007	Feature Film	12,933,510	8,326,758	832,676	61,298,632	951
Project 74	2006	TV Pilot	5,501,695	4,571,976	457,198	61,755,830	1,344
Project 75	2006	Feature Film	1,968,393	1,473,094	147,309	61,903,139	232
Project 76	2006	Feature Film	18,531,408	13,479,982	1,347,998	63,251,137	1,264
Project 77	2006	Feature Film	5,425,865	3,403,986	340,399	63,591,536	803
Project 78	2006	TV Series	4,148,411	1,174,538	117,454	63,708,990	88
Project 79	2006	Feature Film	598,218	482,115	48,211	63,757,201	104
Project 80	2006	Feature Film	3,521,696	2,688,976	268,898	64,026,099	582
Project 81	2004	Feature Film	84,720,715	37,759,066	3,775,907	67,802,006	2,080
Project 82	2007	Feature Film	1,664,750	1,397,724	139,772	67,941,778	390
Project 83	2007	TV Pilot	3,278,491	2,547,603	254,760	68,196,538	668
Project 84	2005	Feature Film	69,003,227	58,562,747	5,856,275	74,052,813	2,742
Project 85	2006	Feature Film	3,561,185	3,381,496	338,150	74,390,963	342
Project 86	2007	TV Series	27,942,148	22,557,433	2,255,743	76,646,706	2,256
Project 87	2006	TV Series	16,186,328	13,337,955	1,333,796	77,980,502	1,546
Project 88	2005	Feature Film	722,478	516,703	51,671	78,032,173	113
Project 89	2007	TV Series	23,749,175	14,685,084	1,468,508	79,500,681	1,718
Project 90	2007	TV Pilot	5,975,762	4,750,972	475,097	79,975,778	1,178
Project 91	2006	Feature Film	8,439,529	6,649,859	664,986	80,640,764	1,235
Project 92	2006	Feature Film	1,464,376	1,083,041	108,304	80,749,068	281
Project 93	2006	Feature Film	72,313,258	29,997,522	2,999,752	83,748,820	4,937
Project 94	2005	Feature Film	13,591,392	9,118,141	911,815	84,660,635	1,252
Project 95	2006	Feature Film	17,636,641	12,961,144	1,296,114	85,956,749	1,938
Project 96	2007	TV Pilot	4,892,015	3,775,106	377,511	86,334,260	673
Project 97	2007	TV Pilot	4,941,479	3,900,079	390,008	86,724,268	973
Project 98	2005	Feature Film	61,520,681	28,135,434	2,813,544	89,537,812	2,362
Project 99	2007	TV Series	45,163,061	31,206,430	3,120,643	92,658,455	3,667
Project 100	2007	Feature Film	7,098,765	5,373,208	537,321	93,195,776	768

Table 1: Tax Credits Issued: August 2004 through December 31, 2009

<u>Project</u>	<u>Year</u>	<u>Project Type</u>	<u>Total New York Spend</u>	<u>Total Qualified Costs</u>	<u>Credit Amount</u>	<u>Cumulative Total Credit \$\$</u>	<u>Total Production Hires</u>
Project 101	2006	Feature Film	\$ 20,891,981	\$ 15,364,478	\$ 1,536,448	\$ 94,732,224	1,300
Project 102	2007	Feature Film	4,080,441	3,203,649	320,365	95,052,589	455
Project 103	2006	Feature Film	14,642,541	10,962,974	1,096,297	96,148,886	710
Project 104	2007	TV Pilot	6,113,137	5,150,548	515,055	96,663,941	788
Project 105	2006	Feature Film	3,303,027	2,752,203	275,220	96,939,161	654
Project 106	2006	Feature Film	3,335,183	1,883,820	188,382	97,127,543	137
Project 107	2006	Feature Film	2,179,030	1,661,595	166,160	97,293,703	347
Project 108	2007	TV Pilot	5,630,532	4,727,444	472,744	97,766,447	996
Project 109	2005	Feature Film	20,877,559	13,607,217	1,360,722	99,127,169	3,193
Project 110	2006	Feature Film	2,618,948	2,427,502	242,750	99,369,919	237
Project 111	2006	Feature Film	87,134,291	51,304,959	5,130,496	104,500,415	5,420
Project 112	2006	Feature Film	30,700,079	22,291,405	2,229,141	106,729,555	2,492
Project 113	2005	TV Series	151,240,868	69,381,848	6,938,185	113,667,740	4,443
Project 114	2006	TV Series	42,878,228	25,979,835	2,597,984	116,265,723	2,796
Project 115	2007	Feature Film	16,834,336	10,328,779	1,032,878	117,298,601	540
Project 116	2006	Feature Film	6,340,563	4,296,420	429,642	117,728,243	732
Project 117	2007	Pilot	5,961,189	4,777,763	477,776	118,206,019	769
Project 118	2007	TV Series	55,179,057	33,069,107	3,306,911	121,512,930	6,240
Project 119	2007	Feature Film	3,273,256	2,534,808	253,481	121,766,411	495
Project 120	2007	TV Pilot	6,528,239	5,041,460	504,146	122,270,557	833
Project 121	2007	TV Series	37,088,402	19,732,019	1,973,202	124,243,759	1,182
Project 122	2006	TV Series	56,345,056	38,286,332	3,828,633	128,072,392	3,967
Project 123	2007	Feature Film	2,357,528	1,491,873	149,187	128,221,579	418
Project 124	2007	TV Pilot	5,865,851	4,821,492	482,149	128,703,728	1,079
Project 125	2006	Feature Film	29,723,095	17,885,484	1,788,548	130,492,277	2,071
Project 126	2007	Feature Film	3,585,927	2,892,661	289,266	130,781,543	493
Project 127	2006	Feature Film	59,603,012	45,865,105	4,586,511	135,368,053	5,711
Project 128	2007	TV Series	7,202,329	4,751,095	475,110	135,843,163	592
Project 129	2007	Feature Film	14,080,765	7,467,967	746,797	136,589,960	348
Project 130	2006	TV Series	29,614,557	21,246,261	2,124,626	138,714,586	2,818
Project 131	2005	Feature Film	2,594,261	1,671,373	167,137	138,881,723	548
Project 132	2006	Feature Film	47,324,752	37,462,140	3,746,214	142,627,937	2,895
Project 133	2007	TV Series	29,940,894	17,696,623	1,769,662	144,397,599	1,910
Project 134	2007	TV Pilot	4,179,831	3,334,853	333,485	144,731,085	899
Project 135	2006	Feature Film	8,265,284	6,424,049	642,405	145,373,490	1,249
Project 136	2006	Feature Film	3,856,442	2,992,788	299,279	145,672,768	560
Project 137	2006	Feature Film	48,081,109	25,465,889	2,546,589	148,219,357	2,755
Project 138	2006	Feature Film	1,300,036	701,766	70,177	148,289,534	341
Project 139	2008	TV Pilot	6,067,711	4,829,146	482,915	148,772,448	1,035
Project 140	2006	Feature Film	663,992	585,889	58,589	148,831,037	112
Project 141	2007	Feature Film	3,293,057	2,415,087	241,509	149,072,546	500
Project 142	2006	Feature Film	3,019,164	2,918,967	291,897	149,364,443	803
Project 143	2007	Feature Film	2,234,432	1,672,918	167,292	149,531,735	200
Project 144	2008	Feature Film	3,421,997	2,427,408	242,741	149,774,475	473
Project 145	2007	Feature Film	2,070,162	1,488,694	148,869	149,923,345	272
Project 146	2008	Feature Film	494,270	383,131	38,313	149,961,658	225
Project 147	2007	TV Series	26,546,777	20,238,784	2,023,878	151,985,536	2,518
Project 148	2005	Feature Film	9,988,056	7,474,038	747,404	152,732,940	381
Project 149	2007	TV Series	3,152,901	1,725,825	172,583	152,905,523	173
Project 150	2007	TV Series	5,509,554	3,904,182	390,418	153,295,941	153

Table 1: Tax Credits Issued: August 2004 through December 31, 2009

<u>Project</u>	<u>Year</u>	<u>Project Type</u>	<u>Total New York Spend</u>	<u>Total Qualified Costs</u>	<u>Credit Amount</u>	<u>Cumulative Total Credit \$\$</u>	<u>Total Production Hires</u>
Project 151	2006	Feature Film	\$ 1,918,629	\$ 1,439,317	\$ 143,932	\$ 153,439,872	225
Project 152	2007	Feature Film	25,520,222	16,526,863	1,652,686	155,092,559	2,439
Project 153	2005	Feature Film	3,559,117	2,659,941	265,994	155,358,553	181
Project 154	2007	Feature Film	293,750	192,436	19,244	155,377,796	64
Project 155	2007	Feature Film	24,655,268	14,667,557	1,466,756	156,844,552	1,964
Project 156	2008	TV Series	14,719,036	10,064,025	1,006,403	157,850,955	1,588
Project 157	2006	Feature Film	10,484,724	8,491,442	849,144	158,700,099	990
Project 158	2007	Feature Film	9,711,799	7,416,606	741,661	159,441,759	946
Project 159	2008	Feature Film	1,095,185	748,713	74,871	159,516,631	118
Project 160	2009	TV Pilot	3,746,566	3,006,651	901,995	160,418,626	578
Project 161	2008	TV Pilot	3,225,347	2,152,490	215,249	160,633,875	335
Project 162	2008	TV Pilot	3,162,942	2,401,342	240,134	160,874,009	573
Project 163	2007	Feature Film	22,272,112	14,588,676	1,458,868	162,332,876	1,879
Project 164	2008	Feature Film	40,439,135	15,096,988	1,509,699	163,842,575	1,833
Project 165	2007	Feature Film	16,274,389	12,035,013	1,203,501	165,046,077	1,630
Project 166	2007	Feature Film	2,916,080	2,195,310	219,531	165,265,608	334
Project 167	2007	TV Series	23,413,632	17,188,729	1,718,873	166,984,480	1,574
Project 168	2008	TV Series	34,987,049	27,514,197	2,751,420	169,735,900	3,456
Project 169	2008	TV Series	19,766,875	16,267,307	1,626,731	171,362,631	918
Project 170	2007	TV Series	10,595,314	6,452,225	645,223	172,007,853	309
Project 171	2007	Feature Film	660,476	593,432	59,343	172,067,196	142
Project 172	2007	TV Series	35,465,867	21,968,988	2,196,899	174,264,095	2,068
Project 173	2008	Feature Film	27,442,455	17,270,111	1,727,011	175,991,106	1,847
Project 174	2008	Feature Film	5,003,298	3,774,523	377,452	176,368,559	351
Project 175	2007	Feature Film	2,443,972	1,350,887	135,089	176,503,647	342
Project 176	2009	TV Pilot	4,700,939	3,773,687	1,132,106	177,635,753	365
Project 177	2008	TV Pilot	10,816,392	8,630,318	2,589,095	180,224,849	1,274
Project 178	2008	Feature Film	18,258,514	13,623,495	1,362,350	181,587,198	1,803
Project 179	2008	Feature Film	41,665,555	25,504,898	2,550,490	184,137,688	1,156
Project 180	2008	Feature Film	949,748	893,451	89,345	184,227,033	88
Project 181	2007	Feature Film	116,437,614	79,295,073	7,929,507	192,156,540	5,051
Project 182	2007	TV Pilot	6,676,155	5,321,997	532,200	192,688,740	571
Project 183	2008	Feature Film	388,703	305,582	30,558	192,719,298	74
Project 184	2008	Feature Film	1,164,843	853,138	85,314	192,804,612	344
Project 185	2008	TV Series	45,362,926	26,840,905	2,684,091	195,488,702	4,137
Project 186	2006	Feature Film	317,538	245,744	24,574	195,513,277	69
Project 187	2008	Feature Film	7,254,575	5,411,410	541,141	196,054,418	1,129
Project 188	2010	TV Pilot	478,993	124,559	37,368	196,091,786	139
Project 189	2007	Feature Film	1,042,681	577,907	57,791	196,149,576	179
Project 190	2008	Feature Film	5,036,126	3,463,155	346,316	196,495,892	250
Project 191	2008	Feature Film	549,192	457,673	45,767	196,541,659	185
Project 192	2007	TV Series	4,412,276	1,929,320	192,932	196,734,591	132
Project 193	2008	TV Series	12,526,164	8,883,592	888,359	197,622,950	1,102
Project 194	2010	TV Pilot	7,643,288	6,513,725	1,954,118	199,577,068	803
Project 195	2008	TV Series	71,335,109	40,004,397	4,000,440	203,577,508	4,761
Project 196	2009	Feature Film	365,197	300,600	90,180	203,667,688	69
Project 197	2009	Feature Film	4,514,821	3,186,853	956,056	204,623,743	245
Project 198	2008	Feature Film	9,198,913	8,565,131	856,513	205,480,257	597
Project 199	2008	TV Series	22,035,455	17,073,909	1,707,391	207,187,647	1,804
Project 200	2008	Feature Film	21,762,031	16,343,014	1,634,301	208,821,949	1,821

Table 1: Tax Credits Issued: August 2004 through December 31, 2009

<u>Project</u>	<u>Year</u>	<u>Project Type</u>	<u>Total New York Spend</u>	<u>Total Qualified Costs</u>	<u>Credit Amount</u>	<u>Cumulative Total Credit \$\$</u>	<u>Total Production Hires</u>
Project 201	2010	TV Pilot	\$ 6,368,355	\$ 4,792,955	\$ 1,437,886	\$ 210,259,835	498
Project 202	2008	TV Pilot	5,221,892	3,977,773	1,193,332	211,453,167	870
Project 203	2008	TV Series	32,839,668	17,337,349	1,733,735	213,186,902	429
Project 204	2011	TV Pilot	705,581	485,360	145,608	213,332,510	87
Project 205	2008	Feature Film	23,720,217	17,117,847	1,711,785	215,044,295	1,276
Project 206	2008	Feature Film	1,633,269	1,235,286	123,529	215,167,824	212
Project 207	2008	Feature Film	24,896,161	15,826,796	1,582,680	216,750,503	785
Project 208	2009	Feature Film	998,271	807,755	242,327	216,992,830	110
Project 209	2011	TV Pilot	2,867,671	2,093,899	628,170	217,621,000	411
Project 210	2011	TV Pilot	5,314,179	4,654,155	1,396,247	219,017,246	315
Project 211	2011	TV Pilot	2,957,513	2,329,226	698,768	219,716,014	530
Project 212	2010	TV Pilot	6,169,663	5,285,195	1,585,559	221,301,573	1,261
Project 213	2009	Feature Film	20,412,912	13,697,166	4,109,150	225,410,723	1,606
Project 214	*	TV Pilot	6,787,912	5,530,893	1,659,268	227,069,990	1,067
Project 215	2007	Feature Film	7,241,437	5,237,038	523,704	227,593,694	531
Project 216	2012	TV Pilot	616,620	377,482	113,245	227,706,939	165
Project 217	2010	Feature Film	2,000,583	1,801,376	540,413	228,247,352	707
Project 218	2011	Feature Film	522,811	442,222	132,667	228,380,019	252
Project 219	2008	Feature Film	13,394,483	9,427,073	942,707	229,322,726	997
Project 220	2008	Feature Film	16,577,068	11,896,285	3,568,886	232,891,612	843
Project 221	2009	Feature Film	532,894	422,739	126,822	233,018,434	201
Project 222	2011	TV Pilot	5,593,952	4,388,367	1,316,510	234,334,944	630
Project 223	2010	TV Series	1,978,744	972,833	291,850	234,626,794	79
Project 224	2010	Feature Film	8,307,802	6,256,963	1,877,089	236,503,883	1,153
Project 225	2010	TV Series	54,469,688	42,956,101	12,886,830	249,390,714	3,680
Project 226	2013	TV Pilot	3,231,875	2,118,864	635,659	250,026,373	405
Project 227	2008	Feature Film	18,373,088	13,952,710	1,395,271	251,421,644	2,397
Project 228	2011	Feature Film	2,605,022	2,146,428	643,928	252,065,572	504
Project 229	2010	TV Series	37,067,494	28,711,730	8,613,519	260,679,091	3,079
Project 230	2007	Feature Film	2,812,702	2,230,440	223,044	260,902,135	604
Project 231	2008	Feature Film	2,489,655	2,189,174	218,917	261,121,052	290
Project 232	2006	Feature Film	13,401,437	11,270,181	1,127,018	262,248,070	1,528
Project 233	2008	Feature Film	2,460,343	1,961,037	196,104	262,444,174	346
Project 234	2008	Feature Film	2,775,267	1,897,024	189,702	262,633,877	286
Project 235	2012	TV Pilot	7,380,763	5,842,346	1,752,704	264,386,580	851
Project 236	2010	TV Series	9,075,795	6,848,059	2,054,418	266,440,998	883
Project 237	2010	Feature Film	5,017,292	3,705,768	1,111,730	267,552,728	632
Project 238	2011	Feature Film	3,228,746	2,893,555	868,066	268,420,795	702
Project 239	2008	Feature Film	52,367,802	24,251,008	7,275,302	275,696,097	3,552
Project 240	2012	Feature Film	747,022	589,741	176,923	275,873,020	410
Project 241	2008	Feature Film	1,517,971	1,329,381	132,938	276,005,958	170
Project 242	2010	TV Series	55,870,510	30,544,542	9,163,363	285,169,321	3,037
Project 243	2010	TV Series	7,929,066	6,883,266	2,064,980	287,234,301	808
Project 244	2011	Feature Film	1,543,173	1,034,583	310,375	287,544,676	520
Project 245	2010	TV Series	35,745,899	25,342,911	7,602,873	295,147,549	3,018
Project 246	2009	Feature Film	5,345,199	4,092,611	1,227,783	296,375,332	720
Project 247	*	TV Series	4,670,895	3,169,544	950,863	297,326,195	243
Project 248	2013	TV Series	4,038,664	2,377,209	713,163	298,039,358	542
Project 249	2009	TV Series	60,537,544	32,749,575	9,824,873	307,864,230	2,885
Project 250	2009	TV Series	55,403,025	42,927,371	12,878,211	320,742,442	5,040

Table 1: Tax Credits Issued: August 2004 through December 31, 2009

<u>Project</u>	<u>Year</u>	<u>Project Type</u>	<u>Total New York Spend</u>	<u>Total Qualified Costs</u>	<u>Credit Amount</u>	<u>Cumulative Total Credit \$\$</u>	<u>Total Production Hires</u>
Project 251	2011	TV Series	\$ 49,277,896	\$ 36,095,677	\$ 10,828,703	\$ 331,571,145	4,211
Project 252	2008	TV Pilot	773,839	533,061	53,306	331,624,451	95
Project 253	2008	Feature Film	2,422,453	1,770,584	177,058	331,801,509	418
Project 254	2012	TV Pilot	5,013,760	4,073,255	1,221,977	333,023,486	647
Project 255	2008	Feature Film	2,404,502	2,100,597	630,179	333,653,665	448
Project 256	2007	Feature Film	1,244,926	885,954	88,595	333,742,260	195
Project 257	2010	TV Series	54,743,634	33,103,821	9,931,146	343,673,406	4,540
Project 258	2010	Feature Film	308,222	222,058	66,617	343,740,024	72
Project 259	2011	Feature Film	3,236,597	1,889,431	566,829	344,306,853	389
Project 260	*	Feature Film	34,887,914	28,545,343	8,563,603	352,870,456	3,164
Project 261	2011	Feature Film	3,374,662	2,569,360	770,808	353,641,264	312
Project 262	2012	TV Series	22,268,358	18,796,062	5,638,819	359,280,083	1,857
Project 263	2012	TV Series	30,115,342	20,843,157	6,252,947	365,533,030	2,123
Project 264	2011	Feature Film	8,729,036	5,868,010	1,760,403	367,293,433	453
Project 265	2012	TV Pilot	4,324,605	3,521,477	1,056,443	368,349,876	652
TOTALS			4,054,457,010	2,638,373,744	368,349,876	368,349,876	307,297

*Project funded from 2009 special allocation of \$350 million

**Table 2: List of Credit-Approved Projects and Shooting Days:
August 2004 through December 31, 2009**

SHOOTING DAYS											
<i>Project</i>	<i>Project Type</i>	<u>Stage</u>	<u>Stage</u>	<u>Stage</u>	<u>Total</u>	<u>Location</u>	<u>Location</u>	<u>Total</u>	<u>Location</u>	<u>Total</u>	<u>Total</u>
		<u>Days</u>	<u>Days</u>	<u>Days</u>		<u>Days</u>	<u>Days</u>	<u>Days</u>	<u>Location</u>		
		<u>NYC</u>	<u>NYS</u>	<u>Outside</u>	<u>Days</u>	<u>NYC</u>	<u>NYS</u>	<u>NYC & NYS</u>	<u>NYS</u>	<u>Days</u>	<u>Days</u>
Project 1	Feature Film	0	1	0	1	1	24.5	25.5	8.5	34	35
Project 2	TV Series	47	0	0	47	3	0	3	0	3	50
Project 3	TV Series	75	0	1	76	32	0	32	0	32	108
Project 4	TV Series	8	0	0	8	16	0	16	0	16	24
Project 5	Feature Film	0	1	0	1	25	0	25	3	28	29
Project 6	TV Pilot	1	0	0	1	14	0	14	0	14	15
Project 7	TV Pilot	1	0	0	1	11	1	12	0	12	13
Project 8	TV Pilot	1	0	0	1	14	0	14	0	14	15
Project 9	TV Pilot	1	0	0	1	8	0	8	0	8	9
Project 10	TV Series	63	0	0	63	89	0	89	2	91	154
Project 11	Feature Film	0	6	0	6	0	36	36	0	36	42
Project 12	TV Series	84	0	0	84	87	0	87	5	92	176
Project 13	TV Series	90	0	0	90	92	1	93	1	94	184
Project 14	Feature Film	1	0	0	1	25	0	25	0	25	26
Project 15	Feature Film	43	0	0	43	17	0	17	0	17	60
Project 16	Feature Film	4	0	0	4	34	2	36	0	36	40
Project 17	TV Pilot	2	0	0	2	9	2	11	0	11	13
Project 18	Feature Film	29.75	0	0	29.75	62.25	0	62.25	2	64.25	94
Project 19	Feature Film	19	0	0	19	23	0	23	5	28	47
Project 20	Feature Film	1	0	0	1	0	21	21	2	23	24
Project 21	TV Series	32	0	0	32	61	4	65	3	68	100
Project 22	Feature Film	0	1	0	1	33	0	33	0	33	34
Project 23	TV Series	31	0	0	31	31	5	36	0	36	67
Project 24	Feature Film	1	0	0	1	23	0	23	0	23	24
Project 25	Feature Film	1	0	0	1	18	2	20	4	24	25
Project 26	TV Pilot	2	0	0	2	8	2	10	0	10	12
Project 27	Feature Film	15	0	0	15	30	0	30	0	30	45
Project 28	TV Series	36	0	0	36	15	0	15	0	15	51
Project 29	TV Pilot	8.50	0	0	8.5	9.5	0	9.5	0	9.5	18
Project 30	Feature Film	1	0	0	1	14	20	34	11	45	46
Project 31	TV Pilot	2	0	0	2	12	0	12	0	12	14
Project 32	TV Pilot	1	0	0	1	13	0	13	0	13	14
Project 33	TV Series	66	0	0	66	110	0	110	1	111	177
Project 34	TV Series	91	0	0	91	116	0	116	0	116	207
Project 35	TV Series	45	0	0	45	0	0	0	0	0	45
Project 36	TV Pilot	2	0	0	2	13	0	13	0	13	15
Project 37	TV Pilot	2	0	0	2	6	0	6	0	6	8
Project 38	TV Pilot	1	0	0	1	7	0	7	1	8	9
Project 39	TV Pilot	1	0	0	1	14	0	14	0	14	15
Project 40	Feature Film	1	0	0	1	17	0	17	3	20	21
Project 41	TV Pilot	1	0	0	1	13	1	14	0	14	15
Project 42	TV Series	22	0	0	22	35	0	35	0	35	57
Project 43	Feature Film	3	0	0	3	20	2	22	2	24	27
Project 44	Feature Film	6	0	1	7	52	2	54	8	62	69
Project 45	Feature Film	0	1	0	1	7	20	27	2	29	30
Project 46	TV Pilot	4	0	0	4	6.5	0.5	7	0	7	11
Project 47	Feature Film	2	0	0	2	12	7	19	6	25	27
Project 48	Feature Film	1	0	0	1	19	1	20	1	21	22
Project 49	Feature Film	1	0	0	1	24	1	25	0	25	26
Project 50	Feature Film	1	0	0	1	24	0	24	0	24	25

**Table 2: List of Credit-Approved Projects and Shooting Days:
August 2004 through December 31, 2009**

SHOOTING DAYS											
Project	Project Type	Stage	Stage	Stage	Total	Location	Location	Total	Location	Total	Total
		Days	Days	Days		Days	Days	Days	Location		
		NYC	NYS	Outside	Stage	NYC	NYS	NYC & NYS	Outside	Location	Shoot
				NYS	Days				NYS	Days	Days
Project 51	Feature Film	1	0	0	1	15	0	15	0	15	16
Project 52	TV Series	37	0	0	37	56	4	60	1	61	98
Project 53	Feature Film	10	0	0	10	44	0	44	3	47	57
Project 54	Feature Film	13	0	0	13	13	18	31	7	38	51
Project 55	Feature Film	2	0	0	2	0	0	0	0	0	2
Project 56	Feature Film	1	0	0	1	25	0	0	0	0	26
Project 57	Feature Film	1	0	0	1	24	2	26	0	26	27
Project 58	Feature Film	1	0	0	1	22	0	22	0	22	23
Project 59	Feature Film	21	0	0	21	0	0	0	2	2	23
Project 60	TV Series	13	0	0	12.75	26	0	26	8.25	34.25	47
Project 61	Feature Film	1	0	0	1	16	3	19	0	19	20
Project 62	Feature Film	2	0	0	2	23	0	23	0	23	25
Project 63	Feature Film	1	0	0	1	19	0	19	0	19	20
Project 64	Feature Film	82	0	0	82	28	0	28	0	28	110
Project 65	Feature Film	1	0	0	1	25	0	25	0	25	26
Project 66	Feature Film	1	0	0	1	1	20	21	0	21	22
Project 67	Feature Film	27	0	0	27	42	1	43	0	43	70
Project 68	Feature Film	1	0	0	1	21	0	21	1	22	23
Project 69	Feature Film	1	0	0	1	23	0	23	0	23	24
Project 70	Feature Film	1	0	0	1	42	0	42	0	42	43
Project 71	Feature Film	1	0	0	1	30	5	35	0	35	36
Project 72	Feature Film	1	0	0	1	40	1	41	0	41	42
Project 73	Feature Film	14	0	0	14	17	2	19	0	19	33
Project 74	TV Pilot	4	0	0	3.5	11.5	0	11.5	0	11.5	15
Project 75	Feature Film	1	0	0	1	16	6	22	0	22	23
Project 76	Feature Film	3	0	0	3	37	11	48	1	49	52
Project 77	Feature Film	1	0	0	1	20	0	20	0	20	21
Project 78	TV Series	0	58	0	58	0	11	11	0	11	69
Project 79	Feature Film	1	0	0	1	23	0	23	1	24	25
Project 80	Feature Film	8	0	0	8	15	0	15	0	15	23
Project 81	Feature Film	37	0	0	37	34	2	36	45	81	118
Project 82	Feature Film	1	0	0	1	15	1	16	3	19	20
Project 83	TV Pilot	1	0	0	1	10	0	10	0	10	11
Project 84	Feature Film	39	0	2	41	29	24	53	12	65	106
Project 85	Feature Film	6	0	0	6	21	0	21	0	21	27
Project 86	TV Series	43	0	0	43	58	0	58	0	58	101
Project 87	TV Series	50	0	0	50	15	0	15	0	15	65
Project 88	Feature Film	1	0	0	1	20	4	24	0	24	25
Project 89	TV Series	36	0	0	36	26	1	27	1	28	64
Project 90	TV Pilot	4	0	0	4	12	0	12	0	12	16
Project 91	Feature Film	1	0	0	1	32	1	33	0	33	34
Project 92	Feature Film	1	0	0	1	14	0	14	3	17	18
Project 93	Feature Film	26	0	0	26	34	2	36	0	36	62
Project 94	Feature Film	1	0	0	1	25	0	25	7	32	33
Project 95	Feature Film	1	0	0	1	46	3	49	0	49	50
Project 96	TV Pilot	1	0	0	1	5	6	11	1	12	13
Project 97	TV Pilot	2	0	0	2	12	1	13	0	13	15
Project 98	Feature Film	12	0	0	12	51	0	51	1	52	64
Project 99	TV Series	46	0	0	46	72	0	72	0	72	118
Project 100	Feature Film	1	0	0	1	22	2	24	0	24	25

**Table 2: List of Credit-Approved Projects and Shooting Days:
August 2004 through December 31, 2009**

		SHOOTING DAYS									
<i>Project</i>	<i>Project Type</i>	<u>Stage</u>	<u>Stage</u>	<u>Stage</u>	<u>Total</u>	<u>Location</u>	<u>Location</u>	<u>Total</u>	<u>Location</u>	<u>Total</u>	<u>Total</u>
		<u>Days</u>	<u>Days</u>	<u>Days</u>		<u>Days</u>	<u>Days</u>	<u>Days</u>	<u>Location</u>		
		<u>NYC</u>	<u>NYS</u>	<u>Outside</u>	<u>Days</u>	<u>NYC</u>	<u>NYS</u>	<u>NYC & NYS</u>	<u>Outside</u>	<u>Days</u>	<u>Days</u>
Project 101	Feature Film	29	0	0	29	24	0	24	0	24	53
Project 102	Feature Film	1	0	0	1	25	0	25	1	26	27
Project 103	Feature Film	2	0	0	2	8	32	40	0	40	42
Project 104	TV Pilot	2	0	0	2	18	0	18	0	18	20
Project 105	Feature Film	2	0	0	2	25	0	25	0	25	27
Project 106	Feature Film	0	5	0	5	0	33	33	0	33	38
Project 107	Feature Film	1	0	0	1	23	0	23	2	25	26
Project 108	TV Pilot	2	0	0	2	13	1	14	0	14	16
Project 109	Feature Film	1	0	0	1	39	3	42	4	46	47
Project 110	Feature Film	1	0	0	1	23	0	23	5	28	29
Project 111	Feature Film	2	0	0	2	58	11	69	5	74	76
Project 112	Feature Film	16	0	0	16	61	0	61	0	61	77
Project 113	TV Series	154	0	0	154	21	27	48	156	204	358
Project 114	TV Series	79	0	0	79	24	1	25	0	25	104
Project 115	Feature Film	16	0	0	16	20	0	20	10	30	46
Project 116	Feature Film	3	0	0	3	17	9	26	2	28	31
Project 117	Pilot	1	0	0	1	13	0	13	0	13	14
Project 118	TV Series	93	0	0	93	90	0	90	3	93	186
Project 119	Feature Film	1	0	0	1	24	0	24	0	24	25
Project 120	TV Pilot	1	0	0	1	0	12	12	0	12	13
Project 121	TV Series	14	0	0	14	0	0	0	0	0	14
Project 122	TV Series	66	0	0	66	110	0	110	0	110	176
Project 123	Feature Film	1	0	0	1	27	0	27	0	27	28
Project 124	TV Pilot	2	0	0	2	13	0	13	0	13	15
Project 125	Feature Film	12	0	0	12	27	7	34	1	35	47
Project 126	Feature Film	1	0	0	1	18	0	24	0	24	25
Project 127	Feature Film	29	0	0	29	32	9	41	11	52	81
Project 128	TV Series	23	0	0	23	31	0	31	0	31	54
Project 129	Feature Film	25	0	0	25	0	16	16	0	16	41
Project 130	TV Series	34	0	0	34	58	1	59	9	68	102
Project 131	Feature Film	1	0	0	1	36	0	36	0	36	37
Project 132	Feature Film	43	0	0	43	30	0	30	0	30	73
Project 133	TV Series	34	0	0	34	64	1	65	4	69	103
Project 134	TV Pilot	1	0	0	1	12	0	12	0	12	13
Project 135	Feature Film	5	0	0	5	22	3	25	0	25	30
Project 136	Feature Film	3	0	1	4	19	0	19	4	23	27
Project 137	Feature Film	9	0	0	9	48	0	48	0	48	57
Project 138	Feature Film	1	0	0	1	24	0	24	0	24	25
Project 139	TV Pilot	4	0	0	4	10	1	11	0	11	15
Project 140	Feature Film	1	0	0	1	0	14	14	0	14	15
Project 141	Feature Film	1	0	0	1	21	2	23	0	23	24
Project 142	Feature Film	3	0	0	3	24	0	24	2	26	29
Project 143	Feature Film	1	0	0	1	19	0	19	0	19	20
Project 144	Feature Film	1	0	0	1	23	0	23	0	23	24
Project 145	Feature Film	1	0	0	1	20	0	20	0	20	21
Project 146	Feature Film	1	0	0	1	16	3	19	0	19	20
Project 147	TV Series	46	0	0	46	39	7	46	0	46	92
Project 148	Feature Film	7	0	0	7	31	0	31	0	31	38
Project 149	TV Series	13	0	0	13	3	0	3	1	4	17
Project 150	TV Series	55	0	0	55	0	0	0	0	0	55

**Table 2: List of Credit-Approved Projects and Shooting Days:
August 2004 through December 31, 2009**

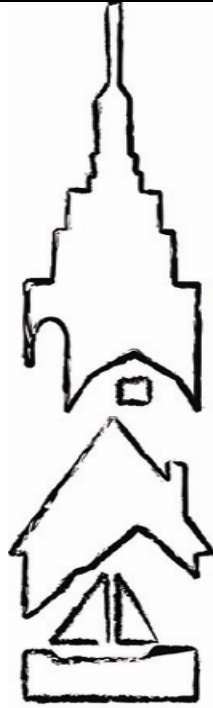
		SHOOTING DAYS									
<i>Project</i>	<i>Project Type</i>	<u>Stage</u>	<u>Stage</u>	<u>Stage</u>	<u>Total</u>	<u>Location</u>	<u>Location</u>	<u>Total</u>	<u>Location</u>	<u>Total</u>	<u>Total</u>
		<u>Days</u>	<u>Days</u>	<u>Days</u>		<u>Days</u>	<u>Days</u>	<u>Days</u>	<u>Location</u>		
		<u>NYC</u>	<u>NYS</u>	<u>Outside</u>	<u>Days</u>	<u>NYC</u>	<u>NYS</u>	<u>NYC & NYS</u>	<u>NYS</u>	<u>Days</u>	<u>Days</u>
Project 151	Feature Film	1	0	0	1	4	14	18	5	23	24
Project 152	Feature Film	5	0	0	5	42	0	42	0	42	47
Project 153	Feature Film	1	0	0	1	23	1	24	0	24	25
Project 154	Feature Film	2	0	0	2	16	0	16	0	16	18
Project 155	Feature Film	12	0	0	12	30	2	32	0	32	44
Project 156	TV Series	15	0	0	15	22	11	33	0	33	48
Project 157	Feature Film	14	0	0	14	20	0	20	0	20	34
Project 158	Feature Film	0	1	0	1	7	30	37	0	37	38
Project 159	Feature Film	1	0	0	1	17	1	18	0	18	19
Project 160	TV Pilot	3	0	0	3	6	0	6	0	6	9
Project 161	TV Pilot	1	0	0	1	8	0	8	0	8	9
Project 162	TV Pilot	1	0	0	1	8	0	8	0	8	9
Project 163	Feature Film	10	0	0	10	34	3	37	2	39	49
Project 164	Feature Film	11	0	0	11	22	5	27	8	35	46
Project 165	Feature Film	7	0	0	7	30	0	30	5	35	42
Project 166	Feature Film	0	1	0	1	9	15	24	0	24	25
Project 167	TV Series	31	0	0	31	31	0	31	0	31	62
Project 168	TV Series	61	0	0	61	60	0	60	0	60	121
Project 169	TV Series	24	0	0	24	39	0	39	0	39	63
Project 170	TV Series	16	0	0	16	0	0	0	0	0	16
Project 171	Feature Film	1	0	0	1	17	0	17	0	17	18
Project 172	TV Series	65	0	0	65	13	1	14	0	14	79
Project 173	Feature Film	15	0	0	15	18	4	22	10	32	47
Project 174	Feature Film	4	0	0	4	28	0	28	0	28	32
Project 175	Feature Film	0	4	0	4	0	21	21	0	21	25
Project 176	TV Pilot	1	0	0	1	19	0	19	0	19	20
Project 177	TV Pilot	1	0	0	1	15	5	20	0	20	21
Project 178	Feature Film	12	0	0	12	27	0	27	0	27	39
Project 179	Feature Film	19	0	0	19	36	0	36	14	50	69
Project 180	Feature Film	8	0	0	8	13	7	20	0	20	28
Project 181	Feature Film	52	0	0	52	44	1	45	1	46	98
Project 182	TV Pilot	1	0	0	1	13	1	14	0	14	15
Project 183	Feature Film	2	0	0	2	16	1	17	2	19	21
Project 184	Feature Film	1	0	0	1	26	0	26	0	26	27
Project 185	TV Series	69	0	0	69	72	1	73	3	76	145
Project 186	Feature Film	0	1	0	1	0	26	26	0	26	27
Project 187	Feature Film	4	0	0	4	26	0	26	0	26	30
Project 188	TV Pilot	2	0	0	2	2	0	2	2	4	6
Project 189	Feature Film	1	0	0	1	17	0	17	5	22	23
Project 190	Feature Film	1	0	0	1	28	1	29	0	29	30
Project 191	Feature Film	1	0	0	1	19	0	19	4	23	24
Project 192	TV Series	0	34	0	34	0	1	1	0	1	35
Project 193	TV Series	46	0	0	46	10	0	10	3	13	59
Project 194	TV Pilot	9	0	0	9	10	0	10	0	10	19
Project 195	TV Series	58	0	0	58	117	0	117	1	118	176
Project 196	Feature Film	1	0	0	1	23	0	23	0	23	24
Project 197	Feature Film	1	0	0	1	8	20	28	0	28	29
Project 198	Feature Film	1	0	0	1	35	0	35	0	35	36
Project 199	TV Series	31	0	0	31	21	0	21	0	21	52
Project 200	Feature Film	13	0	0	13	31	2	33	0	33	46

**Table 2: List of Credit-Approved Projects and Shooting Days:
August 2004 through December 31, 2009**

		SHOOTING DAYS									
<i>Project</i>	<i>Project Type</i>	<u>Stage</u>	<u>Stage</u>	<u>Stage</u>	<u>Total</u>	<u>Location</u>	<u>Location</u>	<u>Total</u>	<u>Location</u>	<u>Total</u>	<u>Total</u>
		<u>Days</u>	<u>Days</u>	<u>Days</u>		<u>Days</u>	<u>Days</u>	<u>Days</u>	<u>Location</u>		
		NYC	NYS	Outside	Stage	NYC	NYS	NYC & NYS	Outside	Location	Shoot
Project 201	TV Pilot	12	0	0	12	3	0	3	0	3	15
Project 202	TV Pilot	1	0	0	1	11	0	11	0	11	12
Project 203	TV Series	12	0	0	12	37	8	45	4	49	61
Project 204	TV Pilot	3	0	0	3	0	0	0	0	0	3
Project 205	Feature Film	1	0	0	1	35	2	37	0	37	38
Project 206	Feature Film	5	0	0	5	11	0	11	1	12	17
Project 207	Feature Film	1	0	0	1	43	0	43	0	43	44
Project 208	Feature Film	0	1	0	1	0	24	24	0	24	25
Project 209	TV Pilot	2	0	0	2	6	0	6	0	6	8
Project 210	TV Pilot	0	4	0	4	0	6	6	0	6	10
Project 211	TV Pilot	1	0	0	1	7	0	7	0	7	8
Project 212	TV Pilot	5	0	0	5	11	0	11	0	11	16
Project 213	Feature Film	2	0	0	2	39	0	39	0	39	41
Project 214	TV Pilot	2	0	0	2	7	12	19	0	19	21
Project 215	Feature Film	1	0	0	1	3	30	33	0	33	34
Project 216	TV Pilot	1	0	0	1	4	0	4	0	4	5
Project 217	Feature Film	1	0	0	1	19	0	19	0	19	20
Project 218	Feature Film	1	0	0	1	4	12	16	2	18	19
Project 219	Feature Film	10	0	0	10	24	0	24	0	24	34
Project 220	Feature Film	8	0	0	8	30	2	32	0	32	40
Project 221	Feature Film	1	0	0	1	12	10	22	2	24	25
Project 222	TV Pilot	1	0	0	1	15	2	17	0	17	18
Project 223	TV Series	9	0	0	9	26	0	26	2	28	37
Project 224	Feature Film	9	0	0	9	14	2	16	2	18	27
Project 225	TV Series	78	0	0	78	68	0	68	0	68	146
Project 226	TV Pilot	1	0	0	1	6	0	6	0	6	7
Project 227	Feature Film	3	0	0	3	31	2	33	3	36	39
Project 228	Feature Film	1	0	0	1	17	0	17	0	17	18
Project 229	TV Series	61	0	0	61	39	5	44	0	44	105
Project 230	Feature Film	13	0	0	13	13	1	14	0	14	27
Project 231	Feature Film	1	0	0	1	19	3	22	2	24	25
Project 232	Feature Film	1	0	0	1	49	0	49	0	49	50
Project 233	Feature Film	1	0	0	1	34	0	34	0	34	35
Project 234	Feature Film	1	0	0	1	26	0	26	7	33	34
Project 235	TV Pilot	3	0	0	3	13	0	13	0	13	16
Project 236	TV Series	40	0	0	40	5	0	5	0	5	45
Project 237	Feature Film	1	0	0	1	26	1	27	0	27	28
Project 238	Feature Film	1	0	0	1	25	0	25	0	25	26
Project 239	Feature Film	13	0	0	13	32	1	33	12	45	58
Project 240	Feature Film	2	0	0	2	24	0	24	1	25	27
Project 241	Feature Film	2	0	0	2	23	0	23	0	23	25
Project 242	TV Series	92	0	0	92	15	2	17	0	17	109
Project 243	TV Series	26	0	0	26	24	0	24	0	24	50
Project 244	Feature Film	1	0	0	1	12	1	13	1	14	15
Project 245	TV Series	51	0	0	51	55	8	63	0	63	114
Project 246	Feature Film	9	0	0	9	20	0	20	0	20	29
Project 247	TV Series	14	0	0	14	13	1	14	0	14	28
Project 248	TV Series	17	0	0	17	32	3	35	0	35	52
Project 249	TV Series	60	0	0	60	111	0	111	0	111	171
Project 250	TV Series	83	0	0	83	94	10	104	6	110	193

**Table 2: List of Credit-Approved Projects and Shooting Days:
August 2004 through December 31, 2009**

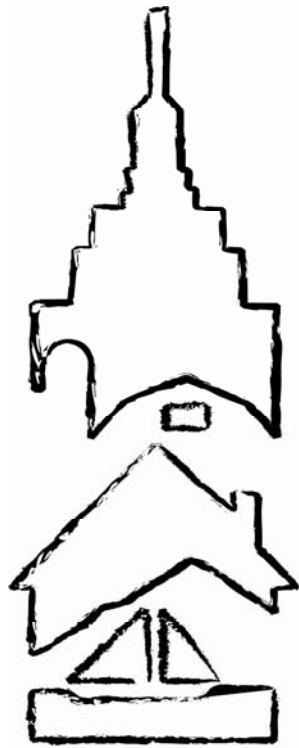
SHOOTING DAYS											
<i>Project</i>	<i>Project Type</i>	<u>Stage</u>	<u>Stage</u>	<u>Stage</u>	<u>Total</u>	<u>Location</u>	<u>Location</u>	<u>Total</u>	<u>Location</u>	<u>Total</u>	<u>Total</u>
		<u>Days</u>	<u>Days</u>	<u>Days</u>		<u>Days</u>	<u>Days</u>	<u>Days</u>	<u>Days</u>		
		<u>NYC</u>	<u>NYS</u>	<u>Outside</u>	<u>Days</u>	<u>NYC</u>	<u>NYS</u>	<u>NYC & NYS</u>	<u>Outside</u>	<u>Days</u>	<u>Days</u>
Project 251	TV Series	33	0	0	33	47	21	68	0	68	101
Project 252	TV Pilot	5	0	0	5	16	0	16	0	16	21
Project 253	Feature Film	4	0	0	4	12	1	13	0	13	17
Project 254	TV Pilot	1	0	0	1	11	3	14	0	14	15
Project 255	Feature Film	2	0	0	2	22	5	27	2	29	31
Project 256	Feature Film	1	0	0	1	29	0	29	0	29	30
Project 257	TV Series	87	0	0	87	83	4	87	2	89	176
Project 258	Feature Film	1	0	0	1	15	0	15	0	15	16
Project 259	Feature Film	1	0	0	1	21	2	22	0	22	23
Project 260	Feature Film	0	1	0	1	4	39	43	0	43	44
Project 261	Feature Film	0	1	0	1	0	26	26	0	26	27
Project 262	TV Series	25	0	0	25	27	2	29	0	29	54
Project 263	TV Series	45	0	0	45	31	0	31	0	31	76
Project 264	Feature Film	1	0	0	1	27	0	27	0	27	28
Project 265	TV Pilot	1	0	0	1	9	0	9	0	9	10
TOTALS		3,766	121	5	3,892	6,529	904	7,413	502	7,915	11,831



NEW YORK STATE
GOVERNOR'S OFFICE
FOR MOTION PICTURE
& TV DEVELOPMENT

SO MANY REASONS TO FILM IN NEW YORK STATE

NY♥FILM



EMPIRE STATE
FILM
PRODUCTION
CREDIT

NY♥FILM

2009 Report to the Legislature

This section is authored by the Governor's Office for Motion Picture and Television Development
Pat Swinney Kaufman, Executive Director

Introduction

The Governor's Office for Motion Picture and Television Development manages the New York State Film Production Credit which was created in 2004 to increase the economic activity of an industry directly contributing \$5.4 billion to the New York State economy in 2003 and indirectly associated with \$11.7 billion in New York¹. The state increased the tax credit from 10 percent to 30 percent in April 2008 to compete with enhanced benefits offered by neighboring states. This report details the program's activity in calendar year 2009.

Program Results for Calendar Year 2009

The Governor's Office received 119 applications during 2009, estimated to generate \$1.88 billion in direct production spending in New York. This \$1.88 billion will generate approximately \$367 million in tax credits on qualified expenditures. This reflects a benefit (direct spending by projects) to cost (tax credits paid) ratio of 5.1:1.

The composition of the production activity comprising the 119 applications breaks out as follows:

- 85 feature films, with estimated NY Spend of \$945 million
- 30 television series, with estimated NY Spend of \$911 million
- 4 pilots, with estimated NY Spend of \$95 million

Credits are claimed generally two years after production begins. Thus productions are hiring actors and crew, engaging New York infrastructure, and supporting businesses as much as two or three years before collecting on the credit.

¹New York's Big Picture: Assessing NY's Position in Film, Television and Commercial Production; Cornell University and Fiscal Policy Institute; August 2006

Remaining Competitive

New York's most serious competitors offer programs with unlimited funding, no sunset, more generous incentives (see below), and broader eligibility of qualifying costs, such as actors', producers' and directors' fees. The difference can mean producers can get anywhere from 7 percent to 24 percent more in credit in states such as Connecticut, Massachusetts, and Michigan. Despite this intense competition, however, the past year has demonstrated that when funded at an adequate level New York can remain extremely competitive in attracting production.

Other States' Programs

Competing states offer larger total tax credits and make larger portions of a production's budget eligible for credits, with fewer in-state requirements than New York State. Connecticut, for example, offers tax credits on the total budget of a film production, which includes both "above the line" (ATL) and "below the line" (BTL) expenses. Only BTL expenses qualify for credit in New York.

ATL includes fees and salaries for the creative team (director, producers, actors, writers) and on average represents 35 percent of the total budget. BTL covers all other hard costs of production including the salaries of crew and extras as well as equipment and facility rental, lab costs, construction materials, props, wardrobe, locations, editing and catering, etc. Typically BTL represents 65 percent of the average budget.

Neighboring states credit the total budgets (ATL and BTL) of projects shot in their regions. New York's 30 percent credit on BTL expenses equates to approximately 18 percent of a project's total budget.

Credits Available in Competing States		Annual Cap
Connecticut	30% of total budget	no annual cap
Massachusetts	25% of total budget	no annual cap
Rhode Island	25% of total budget	no annual cap
Michigan	40% to 42% of total budget	\$75 mil annual cap
Pennsylvania	25% of total budget	no annual cap
NYS pre-April 2008	~6% of total budget (10% of BTL)	rolling allotment
NYS post-April 2008	~18% of total budget (30% of BTL)	rolling allotment

Sufficient funding for multiple years

The budget enacted in April 2009 provided \$350 million for one fiscal year. However, no funding was provided for the subsequent years.

The \$350 million was fully committed within nine months (April 23, 2009 to January 20, 2010). As a result, for most of the last quarter of the fiscal year, the program had no funds to commit and major projects were lost to other states. The most damaging loss came at the expense of pilot season. Pilots are critical because they lead to television series, one of the largest and most stable sources of employment and economic benefit to New York.

For any number of reasons – they run their creative course, key cast members leave, etc. – several television series are cancelled each year. Without a strong annual showing of pilots, New York cannot replenish its supply of television series. In addition, series, with their potential for multi-year commitments for hit shows, are much less likely to locate where there is uncertainty about the future of a competitive tax credit program; producers need to know from the start the credit will be there two, three, or four or more years out.

The bulk of pilots are contracted and shot in February and March. In 2008, when the credit was fully funded, 20 pilots shot in New York. In 2009, however, only four pilots managed to apply before the funding was exhausted. As a result, New York will host fewer series in the coming year, even assuming that the program is provided with funding for this next fiscal year. Each year that New York loses its pilot season, the number of series that will be based in New York will decline dramatically, resulting in a loss of thousands of jobs and millions of dollars in direct spending.

Program
Statistics for
the Life of the
Program:
August 2004 -
December
2009

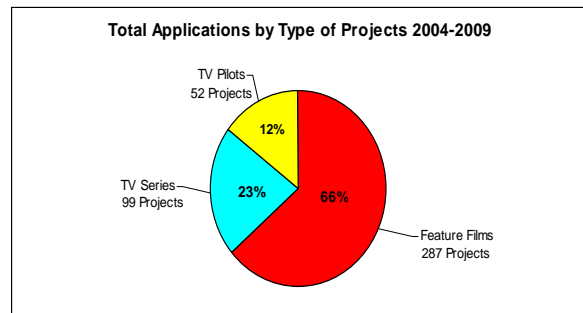
The program received 438 initial applications between August 2004 and December 2009. The following data are based on the information supplied in those 438 initial applications received by the Governor’s Office for Motion Picture and Television Development.

To be accepted into the program, an applicant must submit an initial application projecting the economic activity of the project. After a careful review, applications that meet program requirements are issued a certificate of conditional eligibility. Once the project is finished and a final application based on dollars actually spent is submitted, the certificate of tax credit is issued. The dollar value of credit given to a project is based on actual qualifying spending.

*Initial
Applications*

The 438 projects accrued in the life of the program consist of:

- 287 Feature Films
- 99 Television Series
- 52 Television Pilots



Project Spending

Project spending is measured in two ways:

1. NY Spend - all money spent on a project in New York State on both qualified and non-qualified costs
2. Qualified Spend - money spent in New York State on costs qualified for the credit such as labor, materials, facilities, post production, etc.

While the actual relationship between NY Spend and Qualified Spend can vary, Qualified Spend averages about 65 percent of total NY Spend.

The 438 projects in the program through 2009 represent \$7.2 billion in NY Spend and \$4.68 billion in Qualified Spend.

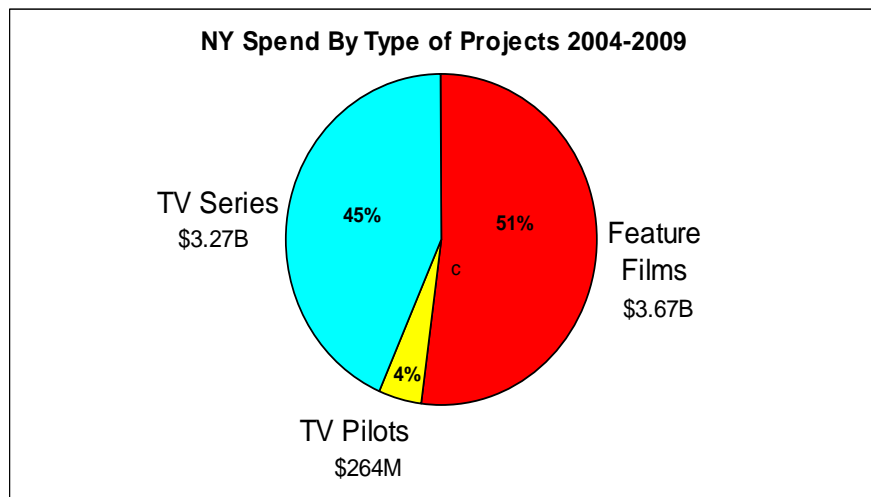
NY Spend

Although film applications far outweigh the combined number of TV series and TV pilot applications, the actual NY Spend generated by film versus television has been fairly equal during the life of the program.

The 438 projects divided by type generated NY Spend of \$7.2 billion, as follows:

- Feature Films: \$3.67 billion
- Television Series: \$3.27 billion
- Television Pilots: \$264 million

Attracting a balance of film and television series and pilots provides a solid base for the infrastructure and keeps the work force employed year round.



Tax Credit Certificates Issued

During calendar year 2009, 95 final applications were submitted. By the end of the year 77 applications had been processed and tax credit certificates were issued in the amount of \$185,741,956. This brings the total amount of tax credits awarded during the life of the program to \$392,286,019 and the number of tax credit certificates issued to 274.

Conclusion

New York State's film production credit continues to create thousands of jobs and close to \$2 billion annually in direct economic activity for the state. The most recently allotted \$350 million in credits has been committed to 112 projects that will spend \$1.8 billion in New York and are projected to provide 78,000 full or part time employment opportunities. The \$350 million was fully committed by January 20, which is only nine months after the budget passed. In the following four months the Governor's Office for Motion Picture and Television Development received 31 applications. These applications have been placed on a waiting list in anticipation of additional funding being provided in the 2010-11 Executive Budget. Should the program continue to be funded these 31 projects will qualify for \$113 million in incentives. If additional funding is not allotted to the program, these projects will most likely not come to New York.

In addition, infrastructure development continues. For example, Kaufman Astoria Studios is about to open its new \$22 million Stage K. Silvercup Studios, Steiner Studios, and Broadway Stages all have plans for even larger expansions, contingent upon the tax credit being fully funded going forward.

The financial value of state tax credit incentives continues to factor significantly in film productions' location decisions. However, producers are equally concerned that a program will continue to be sufficiently funded in future years. Television series producers are particularly sensitive to the uncertainty of a program that must be funded anew each year. The very nature of a TV series anticipates that the show will be successful and will need the credit for multiple years. Even the producers of large feature films find uncertainty difficult as they must often make their location commitments many months before filming. If there is uncertainty regarding the funding for a credit during the year or uncertainty regarding the future of a tax credit program, they will plan to take their films or series to other regions.

New York State's film production credit continues to create thousands of jobs and close to \$2 billion in direct economic activity for the state. However, without the credit in place, almost all if not all of these productions and jobs will likely go to states that do offer credits.