House Memorial 17
TV and Film Industry Task Force Report
Findings and Recommendations

Presented to the
Indian Affairs Committee

October 30, 2026

Presented by:

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Executive Summary

House Memorial 17 directed the New Mexico Regulation and Licensing Department to convene a task force by July 15, 2026, to study and recommend a regulatory framework for activities and services offered by persons operating in New Mexico's motion picture, television, and performing arts industries.

Specifically, the task force was charged with:

A. Studying and recommending a regulatory framework for industry-related activities and services, including talent management, talent agents, talent managers, talent advisors, talent consultants, publicists, social media managers or consultants and background casting services and casting entities not affiliated with the casting society.

B. Evaluating when industry-related activities or services constitute the procurement of employment and warrant regulation or oversight by the regulation and licensing department.

C. Recommending statutory or administrative action to promote transparency, fairness and workforce protection while supporting growth in New Mexico's motion picture, television and performing arts industries.

This report summarizes the task force's membership, activities, findings, and recommendations for consideration by the Indian Affairs Committee.

Principal Findings

The task force considered testimony from one individual describing financial harm, alleged deceptive practices, fear of retaliation and difficulty obtaining assistance. It also reviewed comparative research on regulatory frameworks in New Mexico and other states. The majority of the task force determined that the information currently available does not establish the statewide frequency or prevalence of misconduct to establish a need for regulatory legislation and that additional data is needed to evaluate the nature, frequency, and scope of industry-related concerns and to determine whether a regulatory framework is warranted.

BACKGROUND AND PURPOSE

A. Summary of House Memorial 17

House Memorial 17, introduced during the 2026 legislative session, requests that the New Mexico Regulation and Licensing Department convene a task force to examine oversight of services in the motion picture, television, and performing arts industries. Its focus includes talent representation, consulting, publicity, social media management, and casting. The task force is asked to assess when these services involve obtaining employment and to recommend legislative or administrative measures supporting transparency, fair practices, workforce protection, and industry growth.

The memorial calls for participation by legislative members, state agencies, local film offices, SAG-AFTRA, and casting and talent agency professionals.

B. Reporting Requirements

Milestone	Deadline
Convene the task force	July 15, 2026
Complete the report	November 1, 2026
Report findings and recommendations to the designated recipients	November 30, 2026

The task force held its first meeting on July 30, 2026.

C. Designated Recipients

- The Governor.
- The legislative interim committee that studies courts, corrections, and justice.
- The New Mexico Film Division of the Economic Development Department.
- The executive director of SAG-AFTRA.

D. Scope of the Task Force's Work

The task force examined the activities and services identified in House Memorial 17, heard testimony from one individual, Roxanne Eteeyan, a parent of three children working in the entertainment industry. She testified that an individual approached her offering assistance with her children's online platforms and obtaining an agent, while requiring upfront payments. Roxanne also reported racist name-calling directed at two of her children while on set. Ms. Eteeyan further stated that she was aware of other families experiencing similar issues involving the same individual and described additional incidents involving others. Those accounts are not detailed in this report because they were not presented through firsthand testimony from the individuals involved and have not been independently verified by the task force.

Rep. Pamelya Herndon Rep. John Block Rep. Cynthia Borrego	Representatives of New Mexico House of Representatives	Member
Sen. Benny Shendo	Representative of New Mexico Senate	Member Did Not Participate
Sen. Shannon Pinto	Representative of New Mexico Senate	Member
Angelique Midthunder	Representative of Casting Director Accredited By the Casting Society of America	Member
Lynette O'Connor	Representative of Talent Agent Franchised by Screen Actors Guild	Member
Lily Bankston	Representative of Talent Agent Franchised by Screen Actors Guild	Member Did Not Participate
Aletheia Allen	Representative of Department of Justice	Member
Cyndy McCrossen	Representative of Albuquerque Film Office	Member
Andrew Griego Jennifer LaBar-Tapia	Representatives of Santa Fe Film Office	Member
Andrew Jara	Representative of Las Cruces Film Office	Member
Cabinet Secretary Josett Monette	Representative of Indian Affairs Department	Member

Membership Changes: Angelique Midthunder resigned and was not replaced. Lynette O'Connor replaced Lily Bankston. Senator Shannon Pinto replaced Senator Benny Shendo.

MEETINGS AND WORK PROCESS

The taskforce met on the following dates:

July 30, 2026
August 25, 2026
September 16, 2026
September 24, 2026
October 8, 2026

The subcommittees met on the following dates:

Subcommittee 1 – August 25, 2026
Subcommittee 2 - August 18, 2026
Subcommittee 3 -August 14, 2026 and August 21, 2026
Subcommittee 4 – August 19, 2026

E. Potential for Exploitation

The subcommittee generally did not identify established entry paths as the primary source of concern. Rather, its discussion focused on individuals or businesses that misrepresent their ability to provide access to the industry. These operators may present themselves as legitimate casting or talent representatives, or as intermediaries offering access to employment, without providing a meaningful path to actual work. Individuals new to the industry may be particularly susceptible to these representations because they are unfamiliar with standard industry practices. Other circumstances may further increase their vulnerability.

F. Insufficient Data

The subcommittee determined that additional information is needed to establish the extent of the problem. Available information did not sufficiently identify the number of individuals affected, the number of operators involved, the services or opportunities promised, the terms of the arrangements, or the outcomes. The subcommittee discussed whether the Governor's Council on Film and Media Industries, SAG-AFTRA, or another appropriate entity could assist with collecting this information.

G. Considerations Regarding Regulation

The subcommittee expressed concern that a new licensing framework could impose costs and administrative requirements on legitimate businesses without effectively deterring deceptive operators. Any proposed framework would require careful consideration of enforcement authority, including authority over unlicensed activity, and the resources needed to administer it.

Discussion also addressed the potential need for a regulatory board and funding for the Regulation and Licensing Department and the New Mexico Film Office. The subcommittee recognized that licensing and disciplinary oversight would not, by themselves, ensure reimbursement or otherwise make affected individuals whole.

H. Recommendations

- Prioritize Coordinated Education and Outreach.

The subcommittee consistently returned to education as the most practical response to the concerns discussed. It recommends collaboration among film offices, unions, producers, and other relevant organizations to help new principal and background performers understand established entry paths, recognize warning signs, and locate reliable resources. Initial efforts could include coordinated website content, social media outreach, and distribution of educational materials through industry partners.

- Collect Information About Reported Concerns.

Develop a coordinated approach to gathering information about potentially deceptive or exploitative practices. This information would help establish the nature and frequency of reported concerns and inform future consideration of regulatory or administrative action.

- Seek Funding For Education and Outreach.

Request funding to support the development, distribution, and continued maintenance of educational and marketing materials.

C. Key Findings

The subcommittee determined that additional information is needed to establish the nature and extent of industry-related concerns. Available information did not sufficiently identify the number of individuals affected, the number of operators involved, the services or opportunities promised, the terms of the arrangements, or the outcomes.

Based on these discussions, the subcommittee identified education and outreach as the most appropriate response at this time. Coordinated educational efforts would help performers and parents of minors understand industry roles and practices, recognize potential scams, and access available resources and reporting channels.

D. Recommendations

- Develop Coordinated Educational Resources.

The subcommittee recommends that the New Mexico Film Office and the Santa Fe, Albuquerque, and Las Cruces film offices collaborate on a shared educational content package. Materials would include a guide to industry roles, warning signs of potentially deceptive practices, frequently asked questions, links to relevant organizations, and existing channels for reporting concerns.
The resources would also explain the data collection initiative and link to the data collection form, once its hosting location is confirmed.

Each participating office could publish the materials on its own website or link to a shared set of resource pages. The offices would establish responsibilities for maintaining the content, a schedule for review, and a process for approving updates.

- Conduct Coordinated "Don't Get Scammed" Social Media Campaigns.

Develop a coordinated social media campaign to help new performers and parents of minors recognize potential scams and understand standard industry practices. Campaign materials could include informational graphics, warning-sign checklists, and carousel posts. The campaign would also promote awareness of the data collection initiative and direct individuals to the online form. Participating film offices would coordinate cross-posting with SAG-AFTRA's New Mexico Local, BANM, and other partners where possible. At the conclusion of each campaign, participating organizations would report available engagement measures, including reach, saves, and shares, to the task force.

- Establish Consistent Talking Points for Industry Outreach.

Develop shared talking points addressing scam awareness, industry roles, available resources, and the data collection initiative. Participating organizations would incorporate these messages into scheduled events, panels, and other industry outreach and distribute the materials for use within their respective organizations.

- Maintain and Evaluate the Education Initiative.

Participating film offices and industry partners would share informal feedback and available engagement measures, including website visits, video views, and social media reach, to help assess the initiative's effectiveness. Links, contact information, and talking points would be reviewed and updated periodically.

- New York.

General Business Law Article 11 regulates theatrical employment agencies through licensing, bonds, records, and contract requirements. Its definitions distinguish covered procurement from management activities subject to applicable exceptions. Separate child-performer laws address permits, education, supervision, and protected earnings. This comparison supports analyzing representation duties and child-employment protections separately.

- Georgia.

The subgroup examined Georgia chiefly for its minors-in-entertainment rules. Rule 300-7-1 provides for certification of minors and employing units, a dedicated Child Labor Coordinator, education and safety requirements, records, and enforcement. This is a specific child-employment model; it should not be characterized as a general licensing system for all talent representatives.

- New Mexico.

The subgroup identified existing consumer-protection, wage, discrimination, safety, and child-employment laws, as well as production and incentive programs, but did not identify a dedicated entertainment-intermediary registration or licensing system.

- Additional Comparators.

The written research also examined New Jersey's employment and entertainment-services framework and Illinois' regulation of private and theatrical employment agencies. These comparisons broaden the range of administrative models available for New Mexico to evaluate. No single state supplies a complete model that should be copied without considering New Mexico's existing law, industry, agency capacity, and costs.

For the convenience of the Committee, the cited sections above are included in the Appendices section of this report.

The subcommittee also discussed trained Child Labor Coordinators, clarification of coordinator and studio-teacher qualifications, work and education logs, and reporting of serious injuries and specified violations.

C. Key Findings

Drawing on occupational-licensing models in major entertainment-production states, the subcommittee proposed requiring an occupational license for persons who procure or attempt to procure employment for performers. New Mexico does not currently require this occupational license. Coverage would turn on the activity performed, rather than the provider's job title. The proposal addresses the gap identified in the comparative research and the review of existing New Mexico authority.

D. Recommendations

The following policy recommendations were presented for consideration by Subcommittee 3:

- Protect Minor's Audition Tapes and Images.

Apply protections to persons and businesses that collect audition tapes, including self-tapes, from performers age 17 or younger, with appropriate treatment of legally emancipated minors. Require verified parental consent and clear limits on collection, use, storage, sharing, and retention of those recordings and related personal information. Prevent unauthorized use of minors' images, including generative-AI training, digital replicas, and other uses beyond the disclosed audition purpose. Include data-security and deletion safeguards. The proposal responds to the increased use of self-taped auditions and the risks of reusing children's images.

- Complete Legal and Financial Review before Implementation.

Have the appropriate agencies and legislative counsel review authority, definitions, exemptions, enforcement responsibilities, costs, and interaction with federal law and collective bargaining agreements before final legislation is introduced.

E. Additional Work.

The task force determined that the recommendations presented by Subcommittee 3 fall outside the scope of the assignment outlined in HM 17 and should not be considered further unless and until a need supported by data has been demonstrated.

Subcommittee 4	Lead	Members
Complaint and Education Processes	Jennifer LaBar-Tapia	Rep. John Block Andrew Jara Andrew Griego Bronwen Murray Melissa Salazar

Assigned Responsibility: Develop flowcharts illustrating: the process that occurs when a complaint is filed, including distinctions between union and non-union matters, current safeguards and protections in place and how a broad public and industry education initiative could be structured and implemented.

A. Work Completed

The subcommittee met on September 16, 2026, to review its assigned responsibilities and discuss its findings and to discuss its proposed findings.

B. Key Findings

Subcommittee 4 identified education and access to existing resources as the recommended approach to improving performer protections.

C. Insufficient Data

The subcommittee determined that additional information is needed to establish the extent of the problem. Available information did not sufficiently identify the number of individuals affected, the number of operators involved, the services or opportunities promised, the terms of the arrangements, or the outcomes.

D. Recommendations

TASK FORCE FINAL RECOMMENDATIONS

The task force recommends the implementation of three coordinated initiatives designed to establish a structured process for collecting information, evaluating reported concerns, and improving education and awareness within New Mexico's entertainment industry. These recommendations are intended to provide a clearer understanding of the issues raised, identify potential patterns of concern, and inform future policy discussions based on documented information.

1. Establish a Public Reporting Portal for Data Collection and Assessment.

The task force agreed to establish a temporary, dedicated "HM 17 Task Force" email address within the Legislative Council Service system for one year. Legislative staff supporting Representatives Herndon and/or Block would monitor the account, retain submissions, and distribute the information to task force members quarterly for review. The email address would be publicized through existing contacts and social media outreach.

The portal would clearly state that its purpose is **"data collection only"** and that submissions would not initiate an investigation, trigger enforcement action, or result in the resolution of individual complaints. It would direct uses to existing complaint and emergency reporting channels and explain that it does not replace law enforcement, regulatory, legal or industry reporting process.

The portal address would be publicized through participating film offices, existing industry contacts, professional networks, and social media outreach to encourage participation and broaden awareness of the initiative. This centralized reporting mechanism would provide an accessible point of contact for individuals seeking to share relevant information with the task force and support a more organized approach to gathering public input.

The information gathered would provide an initial evidence base to inform the task force's assessment and guide consideration of future recommendations or policy Reponses.

The task force agreed to reconvene quarterly during the one-year pilot period, with meetings in February, May, August, and November 2027. At these meetings, the task force would review the information collected, assess whether it supports a need for statutory action, and develop a follow-up report for the designated recipients identified in House Memorial 17.

2. Develop a Coordinated Industry Education and Outreach Campaign.

The task force agreed to develop a coordinated education and outreach campaign for individuals currently working in or seeking to enter New Mexico's entertainment industry, consistent with the recommendations of Subcommittees 1 and 4 adopted by the task force. The campaign would increase awareness of industry roles, professional expectations, standard business practices, and available resources for navigating employment and business opportunities in film, television, and related entertainment fields.

Educational materials would address the needs of newcomers, working performers, and families. They would identify common warning signs of potential scams, misrepresentation, and deceptive business practices; explain each participating organization's role and jurisdiction; and direct individuals to appropriate resources and established reporting channels. Participating film offices

ATTACHMENTS

HM 17 Memorial, Attachment 1

Subcommittee 1: Getting into the Business

Steve Graham's Summary of Meeting Discussion , Attachment 2 (2 pgs)

Subcommittee 2: On Set Issues

Resources, Attachment 3 (2pgs)
Research Items, Attachment 4 (1 pg)

Subcommittee 3: Other States' Regulatory Frameworks

Regulatory Models & Recommendations, Attachment 5 (9 pgs)

CONFIDENTIAL DRAFT NOT FOR DISTRIBUTION – Subgroup 3 Working Paper – States Regulatory Models, Existing New Mexico Authority & Policy Options

FYC Entertainment Industry Regulatory Recommendations, Attachment 6 (3 pgs)

Georgia & Texas Regulatory Case Studies, Attachment 7 (5 pgs)

CONFIDENTIAL NOT FOR DISTRIBUTION - New Mexico's Existing Regulatory Framework for Film & Media

Policy Research Report – States' Regulatory Models for the Entertainment Marketplace, Attachment 8 (36 pgs)

Subcommittee 4: Complaint and Education Processes

Current Complaint Process: Fragmented Paths, Attachment 9 (2 pgs)

Performer Protections: Education First, Attachment 10 (12 pgs)

Revised Education Plan, Attachment 11 (5 pgs)

Email from Angelique Midthunder, Attachment 12, (1 pg)

Online NMtaskforce.com Incident Reporting Form, Attachment 13, (1 pg)

A MEMORIAL

REQUESTING THE REGULATION AND LICENSING DEPARTMENT TO CONVENE A TASK FORCE TO STUDY AND RECOMMEND A REGULATORY FRAMEWORK FOR ACTIVITIES OR SERVICES OFFERED OR RENDERED BY PERSONS OPERATING IN NEW MEXICO'S MOTION PICTURE, TELEVISION AND PERFORMING ARTS INDUSTRIES.

WHEREAS, the motion picture, television and performing arts industries are important components of New Mexico's economy and workforce; and

WHEREAS, artists and performers rely on professional services to obtain employment, develop careers, manage public presence and negotiate compensation; and

WHEREAS, the term "talent management" is commonly used to describe activities or professional services provided in exchange for monetary compensation that include procuring or attempting to procure for monetary compensation: employment, career counseling or consulting, branding, publicity, social media and digital presence management, contract-related advising, referral services or casting-related services; and

WHEREAS, persons commonly known as "talent agents" engage in procuring, offering, promising or attempting to procure employment or engagements for artists or performers, whether or not those persons are franchised by a labor organization; and

ATTACHMENT 1

practices, but the state's motion picture, television and performing arts industries could benefit from such a framework; and

WHEREAS, a task force convened by the regulation and licensing department could study and evaluate existing gaps, review industry best practices and make recommendations tailored to New Mexico's motion picture, television and performing arts industries;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the regulation and licensing department be requested to convene a task force by July 15, 2026 to:

A. study and recommend a regulatory framework for activities or services offered or rendered by persons operating in New Mexico's motion picture, television and performing arts industries. The study should include industry-related services, including talent management, talent agents, talent managers, talent advisors, talent consultants, publicists, social media managers or consultants and background casting services and casting entities not affiliated with the casting society;

B. evaluate when industry-related activities or services constitute the procurement of employment and warrant regulation or oversight by the regulation and licensing department; and

department; and

BE IT FURTHER RESOLVED that the task force complete its report no later than November 1, 2026 and report its findings and recommendations no later than November 30, 2026 to the governor, the legislative interim committee that studies courts, corrections and justice, the New Mexico film division of the economic development department and the executive director of the screen actors guild-American federation of television and radio artists; and

BE IT FURTHER RESOLVED that copies of this memorial be transmitted to the superintendent of regulation and licensing and the governor.

SUBCOMMITTEE 1: GETTING INTO THE BUSINESS

Friends/relationships
Walk-ups
Events/open casting calls

After discussion we agreed that these paths are not usually subject to abuse. The type of exploitative individuals or companies operate without providing an actual path to the industry. They may masquerade as these legitimate paths or seek to be an intermediary, but they operate in a separate space that seeks to present a false narrative and are not able to operate without 'fresh' targets. These targets are generally new to the industry and may be from additionally vulnerable groups.

We don't know how big the problem is. How many are affected? How many bad operators are there. We don't have specifics on what deals were made, what was promised, and what the outcomes were. If this is to be pursued, we need more data. Perhaps ask the Governor's council, SAG, or some other entity to gather information?

Creating regulations and licensure would likely burden legitimate entities and not affect 'bad apples'. It would only have jurisdiction over licensees.
Additionally, we can't license or regulate without forming a board.
If it doesn't fall under the ULA, we can't go after non licensed companies or individuals.
Any legislation that creates this board and oversight would require funding for RLD and NMFO.

Even with licensing, RLD cannot make the victims whole.

Repeatedly, education became the end point of our discussions. The subcommittee recommends a collaborative educational approach across film offices, unions, producers, and other affected organizations to create outreach for new cast and background in New Mexico. Much could be done now with coordinated web pages, social media outreach, and possible industry cooperation. Additional funding for education and marketing should be requested.

We discussed whether further research was necessary, and other than more data on reported abuses, we don't think more research is warranted for our subcommittee.

Film New Mexico

Steve Graham
Director
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SUBCOMMITTEE 2: ON SET ISSUES

1) **Set teachers and applicable licensing requirements:**
New Mexico Department of Workforce Solutions Child Labor Rules. [1, 2]
A Certified teacher of NM resident children must possess a valid and current teaching certificate issued by the NM Public Education dept. etc.
California Studio teachers: Must submit an application form to CA Labor Commission and submit a request for a written examination regarding CA Child Labor laws and regulations as they apply to employment of minors as they pertain to the entertainment industry. The 'Blue Book' is a PDF available for purchase through IATSE local 884 in CA that is a compilation of rules and regulations governing the employment of minors in the entertainment industry.

2) **Workplace safety:**
a. Harassment + bullying prevention: OSHA Workplace Violence Fact sheet
b. OSHA fully covers film, television, and live entertainment sets under the OSH Act. Employers must comply with General Industry (29 CFR 1910) and Construction (29 CFR 1926) standards addressing rigging, fall protection, electrical setup, and noise. Unions like IATSE offer specialized OSHA 10- and 30-hour entertainment safety training.
More resources, hotlines, etc:
https://www.osha.gov/contactus/bystate/NM/areaoffice
https://www.cabq.gov/film/safety-on-set
https://themacnm.com/safety-pack/

3) **Specific Issues affecting background actors:**
- Pay issues: Minimum wage, overtime and payment times post work
- Workplace violence, harassment and bullying
- Shelter from the elements
-Personal space (for hygiene, dressing, breaks, etc)
-Proper sanitation (clean bathrooms, handwashing station, etc)
-Access to warm or cold beverages depending on the environment
- Access to first aid services
- Access to information regarding hazardous workplace environment
-Right to refuse participation regarding issues listed
In some states BG is covered under SAG/AFTRA contracts
https://baanm.org/rights/

4. **Protection of minors:** New Mexico Department of Workforce Solutions Child Labor Rules. [1, 2]
Specifically in regards to entertainment

SUBCOMMITTEE 3: OTHER STATES' REGULATORY FRAMEWORKS

Stakeholder Perspectives

Representatives of the Santa Fe Film Office and Film Las Cruces expressed interest in remaining closely involved because regional film offices may be among the entities contacted when performers or families have questions about whether an individual or business is legitimate.

Representative Cynthia Borrego emphasized that, as New Mexico continues developing its film industry, the state has a responsibility to ensure that the industry operates effectively, efficiently, and safely.

The representative from the Indian Affairs Department expressed interest in learning more about the issue and identifying ways the department may be able to assist.

SAG-AFTRA board and legislative representatives emphasized that while union performers already receive significant protections through SAG-AFTRA's franchised-agent system, non-union and pre-union performers do not necessarily have comparable safeguards.

Review of Other State Models

California

California has the most developed regulatory framework reviewed by the subgroup.

Key elements include:

- Licensing of talent agencies;
- Bonding requirements;
- Regulation of people who procure or attempt to procure entertainment employment;
- Restrictions on improper upfront charges;
- Enforcement and disciplinary mechanisms.

California's system was viewed as highly developed and useful as a source of policy ideas, although parts of it may be more extensive than New Mexico currently needs.

Krekorian Talent Scam Prevention Act

The group identified the **Krekorian Talent Scam Prevention Act** as particularly relevant to New Mexico.

Its protections are aimed at preventing businesses from using promises of entertainment employment or representation to induce aspiring performers to purchase costly services.

New York

New York's model includes significant disclosure and transparency requirements.

Examples discussed included requirements for representatives sending performers to employment opportunities or auditions to disclose information such as:

- The identity of the hiring entity;
- The services being sought;
- Known compensation;
- Material terms or conditions.

The group noted that SAG-AFTRA franchised agents already operate under similar requirements, but these protections do not necessarily extend to people outside the union system.

New York has also recently strengthened protections in the modeling industry following documented exploitation in that sector. Some provisions may not translate directly to New Mexico because New Mexico does not have a comparable modeling industry, but the underlying **disclosure and worker-protection concepts** may be useful.

Existing New Mexico Regulatory Analogues

Uniform Athlete Agents Act

The group discussed New Mexico's **Uniform Athlete Agents Act** as an important proof of concept.

The similarities include:

- A person with marketable talent;
- An intermediary offering to represent or place that person;
- A financial relationship;
- A potentially inexperienced individual who may be vulnerable to misleading promises.

The Act requires athlete agents to register and creates a regulatory structure for complaints and enforcement.

That research is expected before the next full HM 17 task force meeting on **August 25.**

The subgroup's preliminary research indicates that New Mexico currently has meaningful protections for minor performers, but considerably less regulation of the adult performer marketplace than California, Florida, or New York.

SAG-AFTRA's Legal Department has also offered assistance if additional legal research is needed. SAG-AFTRA attorneys have been involved in shaping entertainment-industry legislation in California and New York and may also be available to speak with the task force.

Additional States

The subgroup discussed whether further state research is necessary.

Georgia

Georgia was identified as the most useful additional state to examine because it has particularly strong protections for **minor performers.**

Examples discussed included rules addressing minors' exposure to smoke and other on-set conditions.

Andrew Jara from Film Las Cruces offered to review Georgia's provisions and identify provisions that might warrant inclusion in the New Mexico comparison.

Texas

Texas previously regulated talent agencies through its licensing department but repealed that regulatory structure around 2011.

Research located during the subgroup's work indicated that approximately **90 complaints per year** were being received around the period leading up to repeal, suggesting that complaints continued even in a state that was not the nation's primary entertainment-production hub.

Myra Lacy will conduct additional research into the former Texas framework and its repeal.

Louisiana

Louisiana was discussed but was considered a lower priority because its film-production environment has changed substantially and its regulatory concepts appear largely duplicative of the stronger models already being examined.

- Restrictions on large upfront fees tied to promises of employment, representation, or career advancement;
- Clear written contracts and disclosures;
- Disclosure of the identity of prospective employers, compensation, and material conditions;
- Complaint and investigation authority;
- Administrative discipline, fines, suspension, or revocation;
- A mechanism that may help make victims financially whole;
- Reciprocal licensing or registration for legitimate representatives licensed in other jurisdictions;
- The strongest possible protections for minors;
- A regulatory structure scaled appropriately to New Mexico rather than copying California wholesale.

No final recommendations have been made. These items will be evaluated further.

Assignments Before the Next Meeting

Bronwen Murray

- Compile recommendations and observations submitted by subgroup members.
- Expand the existing comparison matrix to show potential New Mexico policy choices.
- Incorporate additional research as it becomes available.
- Circulate materials earlier before the next meeting when possible.

Myra Lacy

- Research Texas's former talent-agency regulatory system, including relevant provisions and the circumstances surrounding repeal.

Andrew Jara

- Review Georgia's minor-performer protections and identify provisions that may be useful to New Mexico.

All subgroup members

- Review the research packet.
- Identify provisions from other states that appear appropriate or adaptable to New Mexico.
- Send those observations to Bronwen for incorporation into the comparison matrix.

SUBGROUP #3 • REGULATORY MODELS & RECOMMENDATIONS

FYC | Entertainment Industry Regulatory Recommendations

For Your Consideration | Each numbered item is a separate policy recommendation. A vote to advance sends the concept — not final bill or rule language — forward for consideration.

Core approach. Regulate risk-producing conduct, not job titles. Enact one Entertainment Services Registration Act, administered directly by RLD rather than a new standalone board unless fiscal analysis shows one is needed. The statute should establish scope, rights, prohibited conduct, enforcement, fee authority, and funding. RLD should implement the program by rule.

A. Performer Marketplace and RLD Oversight

1. Create an activity-based, tiered RLD registration program

Create one tiered registry covering: (a) paid "talent representatives" who procure, attempt to procure, negotiate, or offer access to entertainment work; (b) principal and background casting directors and businesses that solicit, screen, or refer performers for hiring; and (c) paid listing or scouting services representing access to auditions or work. Coverage follows conduct, not title. Tailor obligations by category and exempt bona fide education that neither promises nor procures work.

2. Require registration before solicitation and make status public

Require registration before soliciting performers or offering regulated services in New Mexico. Publish a searchable registry and disciplinary history. Require the legal name and registration number in advertisements, contracts, and notices. Implement fines for violators.

3. Require fiduciary duties and fair, transparent representation agreements

Require each registered talent representative—including a manager who procures employment—to owe the performer fiduciary duties of loyalty, good faith, disclosure, confidentiality, accounting, and avoidance of conflicts, and to place the performer's interests ahead of the representative's own when handling employment opportunities, negotiations, contracts, or money. Require a written agreement disclosing the representative's identity and registration number, services, commissions, expenses, term, renewal, termination, cancellation, and complaint rights. Permit only disclosed commissions and pre-approved actual expenses, and provide a 14-day cancellation right.

4. Ban advance fees, paid access, and pay-to-play

Ban advance representation or registration fees and fees required for a specific audition, referral, or job. Ban conditioning representation or consideration on buying classes, coaching, photographs, reels, websites, memberships, publicity, or other services from the entity or an affiliate, or a company in which the talent representative has a financial interest.

5. Prohibit conflicts, kickbacks, deception, and hidden audition terms

Drafting note: These are policy concepts, not legal conclusions. LCS, RLD, DWS, NMDOJ, and legislative counsel should confirm authority, definitions, exemptions, enforcement allocation, fiscal impact, and interaction with federal law and collective-bargaining agreements before final language is introduced.

incidents, rule violations, and safety issues to the Department.

Supervision, hours, education, and safety

Supervision. The parent or guardian is generally present whenever the minor is at the location, including wardrobe, hair, makeup, and dressing. A written transfer of responsibility to the coordinator is required for the limited exception.

Hours and rest. A separate age-tiered schedule limits work and total location time from infancy through age 17. Work may not begin before 5:00 a.m.; no minor may work more than six consecutive days; most production travel after the first 45 minutes counts as location time; and school-day work includes a 12-hour turnaround protection.

Education. When the school-absence trigger is met, the employing unit provides a credentialed, background-checked studio teacher and instruction space at no cost to the family. Covered minors receive at least three hours of instruction per school day, subject to regulated banking of instructional time. The maximum ratio is one teacher for 10 minors.

Medical and physical safety. The employer obtains emergency medical consent, uses licensed medical personnel, follows atmospheric-smoke standards, provides emergency medical personnel where risk reasonably requires it, and may not place a minor in a location deemed hazardous or in clear and present danger.

Infant safeguards. Infants younger than 15 days may not work. Older infants have sharply limited location/work time and specific rules for lighting, nursing, child-care support, and atmospheric smoke.

Sexual-content prohibition. A minor may not pose nude, perform sexually explicit acts, or be present while adults do so. A parent or guardian cannot waive these prohibitions.

Facilities. Locations must provide suitable dressing rooms, restrooms, hydration, seating, weather protection, and a separate rest area; minors may not share dressing rooms with adults or minors of the opposite sex.

Enforcement

Graduated consequences. Georgia uses written citations, follow-up inspections, certification suspensions, and immediate revocation for the most serious conduct. Examples of top-level violations include unsafe or hazardous work, sexualized/nude work, lack of workers' compensation, no qualified coordinator, falsified documents, and denial of inspector access.

Appeals. The rules provide a fast administrative appeal, generally requiring a request within two state business days of a citation.

What Georgia does not provide

No general blocked-earnings or Coogan-style trust requirement was identified in the current Georgia framework.

The Child Labor Coordinator is retained by the employing unit; the position is regulated and accountable, but it is not an independent state employee.

The system is strong for minors but does not create a comprehensive license for talent agencies, managers, or casting professionals serving adults.

Transferability to New Mexico

Effective date. House Bill 3167 repealed Chapter 2105 effective September 1, 2011 and removed TDLR's talent-agency licensing and enforcement functions.

Pending disciplinary and administrative matters under Chapter 2105 were dismissed.

Administrative penalties already assessed could still be collected, and pre-repeal criminal prosecutions were preserved.

TDLR was directed to refund the prorated portion of registration fees for active registrations.

After repeal, consumers were left principally with the Texas Deceptive Trade Practices Act, private civil claims, criminal fraud/theft laws, and any applicable union or interstate rules rather than a talent-agency-specific regulator.

Why lawmakers repealed it

Supporters' case. Legislative analyses described a small regulated population (about 60 agencies by the repeal period), widespread activity by unregulated look-alike businesses, easy circumvention of the statutory definition, and reliance on the Deceptive Trade Practices Act as an alternative remedy.

Opponents' case. The law's original purpose remained valid: stopping businesses from taking performers' money and disappearing and protecting legitimate agencies from fraudulent operators. In their view, widespread evasion justified broader, better regulation rather than abolition.

Important distinction. The repeal resulted from a judgment about the reach and usefulness of one statutory design. The record does not establish that fraud or performer vulnerability had disappeared.

Texas lessons for New Mexico

Define coverage by conduct - procuring, attempting to procure, negotiating, promising access to work, receiving performer funds, or charging for opportunity-related services - rather than by the title 'agent' or 'manager.'

Give the regulator authority over unlicensed activity, records, restitution, cease-and-desist orders, and proportionate sanctions; registration without enforcement can reproduce the weakness identified in Texas.

Preserve general consumer, contract, wage, criminal, and collective-bargaining remedies as supplements to any administrative program.

Track licensees, complaints, unlicensed-activity allegations, dispositions, restitution, staff time, cost, and fee revenue from the program's first year.

Do not treat low complaint volume as proof of low harm; fear of retaliation, unclear jurisdiction, arbitration, and lack of an accessible complaint channel can suppress reporting.

Primary sources

Source: Texas H.B. 3167, enacted bill text (2011)

Source: Texas House Research Organization, H.B. 3167 bill analysis

Source: Texas Legislative Budget Board, H.B. 3167 fiscal note

Source: TDLR, 2001 Self-Evaluation Report

Source: Texas Sunset Advisory Commission, TDLR Staff Report (2002)

POLICY RESEARCH REPORT

States' Regulatory Models for the Entertainment Marketplace

A 50-State Child-Entertainment Baseline and Detailed Analysis of California, New York, New Jersey, Georgia, Florida, Illinois, and New Mexico

Prepared for the New Mexico Film & Media Task Force

Subgroup 3 - Regulatory Models

Research current through August 28, 2026

ATTACHMENT 8

Executive Summary

This report provides two distinct levels of research: a nationwide baseline drawn from the U.S. Department of Labor's 50-state child-entertainment table and a detailed legal review of seven states.

The seven-state deep dive covers California, New York, New Jersey, Georgia, Florida, Illinois, and New Mexico. California, New York, Georgia, New Jersey, and New Mexico appear as leading production locations in the cited published hub comparisons. Illinois appears below New Mexico in the same Q2 2026 comparison. Florida is included as a regulatory comparator because its talent-agency, child-performer, minor-contract, publicity, and tax rules offer relevant models.

No single state supplies a complete model. The strongest systems combine activity-based licensing or registration, limits on advance fees and pay-to-play practices, written contracts and auditable records, financial security, a clear complaint and enforcement channel, child-performer laws and protected earnings, and modern publicity or digital-replica protections.

New Mexico already has entertainment-specific child-performer rules, unusually detailed motion-picture distribution and exhibition statutes related to movie theaters, production incentives, film-investment authority, and workforce programs. The review nevertheless identifies category-specific gaps in the regulation of talent representatives and paid access to work, judicial approval of minor entertainment contracts, adult motion-picture production safety, and digital replicas. Generally applicable consumer-protection, contract, workplace-safety, and common-law rules provide partial coverage but do not create the front-end registration, bonding, contract, fee, record, and public-verification systems used by several comparison states.

> **Purpose of the comparison**
> The selected-state research is intended to identify workable regulatory tools and administrative choices for New Mexico. It is not a legal opinion that every law affecting entertainment has been cataloged, and it does not assume that another state's program can be copied without statutory, fiscal, and operational analysis.

Production Market Context and New Mexico's Rank

A production market's size does not determine whether its legal design is useful to New Mexico. It does matter when selecting comparison states. ProdPro's Q2 2026 snapshot tracks live-action scripted projects and allocates estimated spending across locations.

Rank	State	Q2 2026 production spend
1	California	$1.336 billion
2	New York	$1.058 billion
3	Georgia	$405 million
4	New Jersey	$387 million

New Mexico. Local law is included only where it is especially significant to the statewide market, as with Chicago's filming-permit system.

Generally applicable wage-and-hour, discrimination, workers' compensation, unemployment-insurance, tax, consumer-protection, privacy, contract, tort, and occupational-safety laws are not restated comprehensively. They are discussed when necessary to explain New Mexico's existing coverage or a material gap. Municipal rules, collective-bargaining agreements, guild rules, and federal law may add obligations. Their omission does not mean they are inapplicable.

Primary and authoritative sources - including legislatures, code repositories, labor departments, tax departments, film offices, and official administrative materials - are linked throughout. The national baseline relies on the U.S. Department of Labor's child-entertainment table, last revised January 2023. The selected-state profiles were checked through August 28, 2026. Laws with future effective dates and proposed or failed bills are expressly identified; a failed bill is not treated as current law.

Meaning of 'not identified'

The phrase means that the authority was not found in the statutes, regulations, reported decisions, and agency materials reviewed for this report. It is not a legal conclusion that no other statute, local rule, federal requirement, contract, collective-bargaining provision, or common-law claim could apply.

Legal-use note. This is legislative and policy research, not legal advice. A production, performer, intermediary, regulator, or tax filer should verify the current text, effective date, agency guidance, and any local or federal overlay before relying on a rule.

1. National Landscape: Child-Entertainment Baseline

The clearest official nationwide table is the U.S. Department of Labor's 'Child Entertainment Laws As of January 1, 2023.' It marks 33 states 'Yes' under 'Regulates Child Entertainment.' The defensible finding is therefore that DOL identified 33 states with child-entertainment regulation as of that date. Primary source: https://www.dol.gov/agencies/whd/state/child-labor/entertainment

A state marked 'No' may still have a work-permit rule, trust or contract-approval statute, production incentive, right-of-publicity law, or other entertainment-specific provision. Conversely, the DOL table does not measure talent-agency licensing, digital replicas, production safety, or tax-credit administration. RLD's HM17 analysis separately reports that 10 states regulate talent agencies through licensing or regulation; because the analysis does not identify the states or method, this report treats that statement as an agency-reported baseline rather than an independently verified census.

RLD/HM17 source: https://www.nmlegis.gov/Sessions/26%20Regular/firs/HM017.PDF

33 states marked 'Yes' by DOL

Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oregon, Pennsylvania, Texas, Vermont, Virginia, Washington, and Wyoming.

duration, image and digital-replica rights, motion-picture safety, mandatory reporting, and production tax credits.

2.1 Representation, procurement, and fee-related services

The Talent Agencies Act requires a license for a person or entity that procures, offers, promises, or attempts to procure employment or engagements for artists. It regulates licensing, bonds, trust handling, records, contract forms, prohibited conduct, and Labor Commissioner proceedings. California's activity-based definition is important: a person's title does not control if the person is actually procuring engagements. The Act includes a narrow safe harbor for a person who acts in conjunction with, and at the request of, a licensed talent agency.

Separate provisions govern talent counseling, listing, and training services. Written contracts and disclosures are required. Advance-fee talent representation is prohibited. Fee-related services may need a bond or deposit, and the law restricts deceptive advertising, referral conflicts, and paid-access practices. Child performer service providers such as certain publicists, managers, acting coaches, and photographers must obtain a Child Performer Services Permit when the statutory definition is met.

2.2 Minors: permits, schooling, supervision, and earnings

Labor Code section 1308.5 and Title 8 regulations require entertainment work permits for minors and permits to employ minors. The regulations establish age-specific limits for time at the place of employment and actual work, schooling, rest and recreation, meal periods, overnight rest, travel, parent or guardian presence, infant medical protections, and certified studio teachers. A studio teacher has both educational and welfare responsibilities and authority to remove a minor from unsafe conditions. Minors ages 14 through 17 must complete the harassment-prevention training required for an entertainment work permit.

The Coogan-law framework in Family Code sections 6750-6753 permits judicial approval of specified entertainment contracts, prevents an approved contract from being disaffirmed on the ground of minority, and directs 15 percent of a minor's gross earnings under the covered contract to a blocked trust account. Separate Family Code provisions enacted by SB 764 protect minors featured in monetized online content through recordkeeping and trust-account obligations when statutory thresholds are met.

2.3 Contracts, publicity, AI, safety, and incentives

Labor Code section 2855 generally limits enforcement of personal-service contracts to seven years. Civil Code sections 3344 and 3344.1 protect against unauthorized commercial use of a living or deceased person's name, voice, signature, photograph, or likeness, subject to statutory exceptions. Labor Code section 927, added by AB 2602, makes certain digital-replica clauses in personal or professional services contracts unenforceable when the clause lacks a reasonably specific description of intended uses and the performer was not represented by counsel or a labor organization. AB 1836 expanded the deceased-personality statute for digital replicas.

Labor Code sections 9150-9161 create specialized motion-picture safety rules. Firearm and blank handling and the near-total prohibition on live ammunition apply broadly. Tax-credit productions in the 2025-2030 pilot must use a qualified, dedicated safety advisor, prepare general and specified high-risk

Authority	What it governs	Principal requirements	Administration / remedies
Penal Code §§ 11165.7, 11166.5	Child-abuse mandated reporting	As of Jan. 1, 2026, covered talent agents, managers, and coaches working with minors are mandated reporters and receive required statements.	Mandated-reporting duties and penalties under the Child Abuse and Neglect Reporting Act.
Rev. & Tax. Code §§ 17053.98.1, 23698.1; 10 CCR §§ 5550–5556	Film and television production tax credit 4.0	Certification, allocation categories, qualified expenditures, workforce and reporting conditions; $750 million annual authorization for five fiscal years.	California Film Commission certification; Franchise Tax Board credit administration; audit and recapture rules.

3. New York

New York's framework combines statewide employment-agency licensing, a detailed child-performer system, protected minor earnings, a model-management law, statutory commercial-identity and digital-replica rights, and a portfolio of production, postproduction, independent-film, commercial, theater, and digital-game incentives. New York City adds its own employment-agency licensing administration and other local worker protections.

3.1 Theatrical employment agencies

General Business Law article 11 covers employment agencies. Its definition of a theatrical employment agency includes a person procuring or attempting to procure engagements for actors and other artists, including film, radio, musicians, directors, writers, cinematographers, composers, lyricists, arrangers, and models. The management exception applies only when employment procurement is incidental to the manager's business. Licenses are administered by New York City's Department of Consumer and Worker Protection inside New York City and by the New York State Department of Labor elsewhere.

The article governs license applications and bonds, fee schedules, records, contracts and receipts, sharing of fees, advertising, and prohibited referrals. Section 181 requires approved contract forms and specified information about auditions and engagements, including the employer, anticipated compensation, and material terms.

3.2 Child performers and protected earnings

Labor Law article 4-A and 12 NYCRR part 186 require a child performer permit and an employer certificate of eligibility, with narrow statutory exceptions. Employers must comply with age-based work and presence limits, meal and rest periods, responsible-person rules, education and tutoring obligations, health and safety requirements, and records. A parent or guardian must establish a child performer trust account and provide account information to the employer. Estates, Powers and Trusts Law section 7-7.1 directs 15 percent of gross earnings to the trust where a court has not ordered a different amount.

3.3 Fashion Workers Act

Labor Law article 36 regulates model management companies and clients. Model management companies must register with the Department of Labor, act as fiduciaries, use plain-language agreements and deal memoranda, disclose financial relationships, maintain records, obtain separate

Authority	What it governs	Principal requirements	Administration / remedies
Civil Rights Law § 50-f	Postmortem publicity and deceased-performer digital replicas	40-year right; successor-in-interest registration for enforcement; specified expressive-work and news exceptions.	Injunction, damages, profits, and statutory remedies.
Civil Rights Law § 52-c	Sexually explicit depictions and digital manipulation	Plain-language, informed consent for specified uses; three-business-day rescission unless counsel/agent/union review or other exception applies.	Private civil action, injunction, damages, fees, and punitive damages where authorized.
Tax Law §§ 24, 31; 5 NYCRR pts. 170, 171	Film production and postproduction credits	Project certification, qualified facility and cost rules, allocation, diversity and reporting; production program generally 30% and $700 million annually through 2036.	Empire State Development certification; Department of Taxation and Finance credit administration.
Tax Law § 24-d	Independent film production credit	Separate allocation and eligibility framework for qualified independent film production companies.	Empire State Development certification and tax administration.
Tax Law §§ 24-a, 24-c; 5 NYCRR pts. 240, 270	Musical and theatrical production	Separate statewide touring and NYC programs; qualified production and expenditure rules; application, reporting, access, and workforce conditions.	Empire State Development certification; tax-credit claims under applicable tax articles.
Digital Game Development Tax Credit Program	Digital game development	Project begins development after Jan. 1, 2023; qualified production costs, application, recordkeeping, and state-credit logo conditions.	Empire State Development program administration and tax certification.

4. New Jersey

New Jersey regulates entertainment at several distinct points: entertainment and booking agencies are licensed under the Employment and Personnel Services Act and implementing rules; minors work under a production-specific permit, schooling, supervision, hours, and safety system; commercial identity is protected through common law; and production is supported by film, digital-media, postproduction, and sales-tax incentives. No separate statewide performer digital-replica statute or comprehensive adult motion-picture safety code was identified in the reviewed sources.

4.1 Entertainment and booking agencies

The Employment and Personnel Services Act, N.J.S.A. 34:8-43 et seq., and N.J.A.C. 13:45B define an entertainment agency by conduct: procuring, obtaining, offering, promising, or attempting to procure or obtain employment or engagements for performing artists. The rules apply to agencies in New Jersey, out-of-state agencies placing artists in New Jersey, and agencies soliciting New Jersey residents. Both the agency and the individual agents who perform covered functions must be licensed.

The framework requires a $10,000 bond, posted licenses and an approved fee schedule, filed contract forms, signed copies for artists, plain-language agreements, receipts and records, annual information, and regulated advertising. Entertainment showcases generally require a special permit when a licensed agency offers performers to prospective employers and will collect a fee upon booking. Entertainment agencies may accept advance fees, but the written-agreement, product-delivery, refund, and disclosure rules apply. Because coverage follows procurement activity, a person using the title 'manager' may fall

New Jersey authority summary

Authority	What it governs	Principal requirements	Administration / remedies
N.J.S.A. 34:8-43 et seq.; N.J.A.C. 13:45B-1.2, -6.1	Entertainment and booking agency coverage	Activity-based coverage of procurement or attempted procurement for performing artists; reaches in-state agencies, out-of-state placements, and solicitation of New Jersey residents.	Division of Consumer Affairs; Consumer Fraud Act and licensing remedies may apply.
N.J.A.C. 13:45B-2.1, -2.6, -6.2	Agency and individual-agent licenses	Agency license plus individual licenses for persons performing covered agent functions; qualifications, applications, renewals, and display requirements.	Division may deny, suspend, revoke, investigate, and enforce under the Act and chapter.
N.J.A.C. 13:45B-2.3, -6.3	Financial security	$10,000 bond payable to the State for damages arising from misrepresentation, deception, or unlawful acts; injured persons may seek permission to sue on the bond.	Division of Consumer Affairs; civil action on bond with agency authorization.
N.J.A.C. 13:45B-2.5	Agreements, fees, receipts, and refunds	Written agreements and fee schedules; filed and approved forms; copies and receipts; bona fide job-order and fee/refund limitations. Entertainment agencies may accept advance fees subject to Subchapter 6.	Inspection and licensing discipline; consumer remedies may also apply.
N.J.A.C. 13:45B-6.4 to -6.6	Posting, contracts, products, and annual information	Post licenses, fee schedule, and abstract; give artist signed contract; file plain-language forms; keep executed contracts; disclose quantity, quality, cost, delivery, installment limits, and refunds for products.	Division inspection; annual filing; discipline for noncompliance.
N.J.A.C. 13:45B-3.1(d), -15.1	Showcases, advertising, and solicitation	Special permit for covered entertainment showcases; ads disclose agency name, address, and license number; two-year ad records; agents carry licensed business cards.	Division inspection and administrative enforcement.
N.J.S.A. 34:2-21.57 to -21.59; P.L.2025, c.382	Child performers under 18	Employer and child permits; age-specific work/on-set caps; six-day week; time-of-day limits; adult supervision; schooling and credentialed teacher; prohibited performances; temporary permits and waivers.	NJDOL Wage and Hour Compliance; permit denial, waiver conditions, and child-labor enforcement.
NJDOL theatrical-permit guidance	Current permit process and trust-account rule	One-year child permit and employer process effective August 1, 2026. Official guidance states New Jersey does not require a trust account, although another state's law may.	NJDOL application system and compliance guidance.
Atlas Data Privacy Corp. v. We Inform, LLC (N.J. 2026)	Common-law appropriation and publicity	Protects against unauthorized appropriation of name or likeness; commercial right-of-publicity principles remain subject to First Amendment and other defenses.	Civil action in court; common-law damages and equitable relief as available.
Garden State Film and Digital Media Jobs Act; P.L.2025, c.81	Film, digital media, studio, lease, and postproduction credits	Rates generally 30–40% depending on applicant, location, and activity; hiring/promotion additions; eligibility thresholds; NJ vendor, withholding, verification, credit-transfer, and recapture rules; program through 2049.	NJEDA and Division of Taxation; award agreements, audits, transfer certificates, reduction and recapture.

feature films, series, pilots, television movies, commercials, music videos, and qualified interactive-entertainment projects, subject to project, distribution, expenditure, vendor, payroll-withholding, and certification rules. All projects certified on or after January 1, 2023 must undergo a mandatory audit before the credit is claimed or transferred.

O.C.G.A. section 48-7-40.26A, the Georgia Entertainment Industry Postproduction Investment Act, was renewed for tax years 2026 through 2030 with a $10 million annual cap and rollover of unused cap. The former musical tax credit under section 48-7-40.33 applied to tax years beginning before January 1, 2023 and is identified here as historical rather than a current general incentive.

Georgia authority summary

Authority	What it governs	Principal requirements	Administration / remedies
O.C.G.A. §§ 39-2-18, 39-2-19; Ga. Comp. R. & Regs. 300-7-1	Minors employed in entertainment	Minor and employing-unit certification; representative; Child Labor Coordinator; approved locations; age-based time, meals, rest, education, studio teachers, health/safety, records, and incident reporting.	Georgia Department of Labor certification, inspection, removal, suspension/revocation, citations, penalties, and expedited appeal.
O.C.G.A. § 48-7-40.26	Film, video, digital, music-video, commercial, and interactive-entertainment production credit	20% base credit; separate 10% promotion uplift; generally $500,000 production threshold; qualified Georgia expenditures; withholding, distribution, and mandatory audit rules.	GDEcD project and promotion certification; Department of Revenue expense certification, audit, claim, transfer, and recapture.
Ga. Comp. R. & Regs. 159-1-1	Film-credit project certification	Applications, deadlines, project definitions, distribution, base and uplift certification, documentation, fees, appeals, and 2026 qualification rules.	Georgia Department of Economic Development, Film, Music & Digital Entertainment Division.
Ga. Comp. R. & Regs. 560-7-8-.45	Film-credit calculation and tax administration	Qualified expenditures, Georgia vendors, loan-out withholding, audit, transfer, carryforward, and claim procedures.	Georgia Department of Revenue.
O.C.G.A. § 48-7-40.26A	Stand-alone postproduction credit	Renewed for tax years 2026–2030; $10 million annual cap with rollover; separate company and expenditure qualifications and preapproval.	Department of Revenue and applicable GDEcD certification; Rule 560-7-8-.59.
O.C.G.A. § 48-7-40.33 (historical)	Musical, theatrical, and recorded-music credit	Available for tax years beginning on or after Jan. 1, 2018 and before Jan. 1, 2023; no current-year credit under the official program summary.	Department of Revenue tax-credit code 141; historical claims and carryforwards as allowed.
Martin Luther King Jr. Ctr. v. American Heritage Prods., 250 Ga. 135 (1982)	Common-law right of publicity	Georgia Supreme Court recognized a transferable, inheritable property right against unauthorized appropriation of a person's name and likeness for another's benefit.	Common-law civil action; remedies depend on claim and proof.

6. Florida

Florida has a mature occupational-licensing statute for talent agencies, a separate entertainment-minor permit system, judicial approval and property-guardianship provisions for minors' creative-services contracts, a statutory right of publicity, and production-related sales-tax exemptions. The former broad entertainment-industry financial-incentive program is not a current general production tax credit; the

Florida authority summary

Authority	What it governs	Principal requirements	Administration / remedies
Fla. Stat. ch. 468, pt. VII (§§ 468.401–.415); Fla. Admin. Code ch. 61-19	Talent agencies	DBPR license; owner qualifications; $5,000 bond; fee schedule; records; no registration fee or required collateral purchases; advertising, contract, fee-sharing, refund, and sexual-misconduct rules.	DBPR inspection and discipline; suspension/revocation; injunction, civil and criminal penalties; permanent disqualification for sexual misconduct.
Fla. Stat. §§ 450.012, 450.132, 450.141; Fla. Admin. Code r. 61L-2.006	Minors employed in entertainment	Employer permit and production notification; age-based hours, education, breaks, supervision, medical and safety limits; rehearsal/practice counts as work.	DBPR Child Labor Program; permit revocation; up to $2,500 per offense and misdemeanor consequences.
Fla. Stat. §§ 743.08–743.095	Minor creative-services, athletic, endorsement, and publicity contracts	Circuit-court approval; notice and hearing; possible guardian ad litem and guardianship plan; approved contract not disaffirmable solely for minority.	Circuit court and guardianship jurisdiction; control of minor's contract and property.
Fla. Stat. § 540.08	Unauthorized commercial use of name or likeness	Express consent for trade, commercial, or advertising use; news, resale, and crowd-image exceptions; protection ends 40 years after death.	Injunction, actual loss, reasonable royalty, punitive/exemplary damages, and specified civil penalty.
Fla. Stat. §§ 288.1258, 212.08(12); Fla. Admin. Code r. 12A-1.085	Qualified production company sales/use tax exemption	Certificate for qualifying production purchases and leases used exclusively as an integral part of production; 90-day or qualifying Florida-based 12-month certificate.	Florida Department of Commerce qualification and Department of Revenue certificate/tax administration.
Fla. Stat. § 212.031(1)(a)9	Real property used in qualified production services	Exemption for property used as an integral part of qualified production services, subject to statutory definitions and documentation.	Department of Revenue tax administration and audit.

7. Illinois

Illinois belongs in the comparison because it regulates several subjects directly relevant to the subgroup. It licenses theatrical employment agencies, requires child-performer employment certificates and protected earnings, provides a statutory right of publicity that addresses unauthorized digital replicas, and maintains separate film, live-theater, and music production incentives. Chicago adds a significant local filming-permit layer for use of streets, sidewalks, and other City property.

7.1 Theatrical employment agencies

The Private Employment Agency Act, 225 ILCS 515, defines a theatrical employment agency as a business procuring or offering, promising, or attempting to procure engagements for circus, vaudeville, theatrical, or other entertainment performers. The Act requires a Department of Labor license, a $5,000 bond, filed and posted schedules of fees and commissions, filed contract forms, receipts, bona fide job orders, and detailed applicant, job-order, and fee records retained for three years. The implementing rules in 68 Ill. Adm. Code part 680 govern operations, fee collection, contracts, records, advertising, investigations, and discipline.

Authority	What it governs	Principal requirements	Administration / remedies
225 ILCS 515/1.5, 2, 3	Applications, fees, bond, contracts, and records	$5,000 bond; filed/posted fee schedule and contract forms; no charges beyond filed schedule; bona fide job orders; applicant, job-order, fee, receipt, refund, and three-year records.	IDOL inspection and discipline; injured persons may sue on bond and pursue other civil remedies.
68 Ill. Adm. Code part 680	Employment-agency operations	Rules for licenses, renewals, fee collection, contracts, receipts, records, advertisements, office practices, investigations, and hearings.	IDOL administrative enforcement and license proceedings.
820 ILCS 206/45–90	Child performers under 16	Employment certificates; entertainment work permitted subject to special hours and welfare rules; prohibited hazardous work; complaint and penalty framework.	IDOL enforces; certificate issuers and Department share administrative roles.
56 Ill. Adm. Code part 250	On-set child-performer welfare	Chaperone; performance description and consent; age-based hours; schooling and studio teacher; meals, rest, health, nursing, recordkeeping, and waivers.	IDOL inspections, waivers, records, and child-labor enforcement.
820 ILCS 206/90	Protected child-performer earnings	Trust required before certificate; at least 15% of gross earnings; funds available at 18 or emancipation; temporary certificate; unclaimed-property transfer if account information is not supplied; background-performer exception.	Employment-certificate issuer, employer, trustee, and State Treasurer have defined roles.
765 ILCS 1075	Right of publicity and unauthorized digital replicas	Written consent for commercial identity use; 50-year postmortem term; prohibits knowing distribution of unauthorized digital replicas and specified facilitation; expressive and service-provider exceptions.	Private civil action; actual damages/profits or $1,000, punitive damages, injunctions, and discretionary fees/costs.
35 ILCS 16	Film Production Services Tax Credit	For productions beginning on/after July 1, 2025: 35% of Illinois vendor spend and resident labor plus 30% of qualifying nonresident wages; certification, diversity plan, withholding, wage and above-the-line limits; sunset before 2039 tax years.	DCEO Film Office and Department of Revenue; certification, audit, reporting, and transfer rules.
14 Ill. Adm. Code part 528	Film-credit administration	Application, accreditation, qualified expenditures, tax-credit certificates, diversity plans, audits, transfers, and compliance procedures.	Illinois Department of Commerce and Economic Opportunity.
35 ILCS 17	Live Theater Production Tax Credit	Credit for qualifying Illinois labor and production spending by accredited pre-Broadway and long-run productions, subject to certification, caps, and statutory conditions.	DCEO certification and Department of Revenue tax administration.
35 ILCS 19/50	Music and Musicians Tax Credit and Jobs Act	Certification and credits for qualifying music companies and facilities; statewide and per-company caps; qualified labor and production spending rules.	DCEO certification, award agreements, reporting, and tax-credit administration.
Chicago Film Office permits and rates	Filming on streets, sidewalks, and City property	Location permit, insurance, neighborhood/business notice, traffic and parking coordination, City-service charges, and daily location fee; additional approvals may apply.	Chicago Film Office and affected City departments.

teacher-to-child ratios, a 12-hour rest period between workdays, and advance-waiver procedures for exceptional circumstances. They also require safe and secure dressing and shelter arrangements and prohibit sexually exploitative material or depiction of a sex act. The Department may deny preauthorization to a project for qualifying violations and use administrative-hearing and subpoena procedures; other statutory penalties remain available.

Section 50-6-19 and 11.1.4.13 NMAC require a parent, guardian, or trustee to establish a trust in the child's state of residence and require the employer to deposit 15 percent of the child's earnings. The statutory protection applies only when the contract guarantees at least $1,000 in gross earnings. The trustee must provide account information, and if it is not supplied within the statutory period the employer must refer the matter to district court for appointment of a trustee. The reviewed New Mexico authorities do not provide the separate court-approval and contract-disaffirmance framework used in California, New York, or Florida.

8.3 Commercial identity, digital replicas, and production safety

New Mexico protects commercial identity principally through common law. Moore v. Sun Publishing Corp. recognizes appropriation of name or likeness as an invasion-of-privacy theory directed at commercial exploitation, subject to the elements and defenses developed in case law. No comprehensive statute establishing a transferable living or postmortem right of publicity was identified. No enacted entertainment-specific digital-replica statute was identified either. The proposed 2025 Voice and Visual Likeness Rights Act, House Bill 221, died in committee and is not law.

For production safety, the Occupational Health and Safety Act and 11.5.1 NMAC supply generally applicable workplace protections, and the child-performer rules impose detailed, production-specific safeguards for minors. The reviewed authorities do not contain an all-production motion-picture safety statute comparable to California's. House Bill 338 (2023), which would have required firearm training and competency certification for certain filmmaking employees and connected compliance to film-credit eligibility, died in committee and is not law.

8.4 Motion-picture distribution and exhibition

Chapter 57, Article 5 NMSA 1978 regulates motion-picture distribution and exhibition with the stated purpose of preventing monopoly, restraint, favoritism, and discrimination and assuring a proportionate division of product among competing exhibitors. It addresses distributor-exhibitor contracts, secret rebates and concessions, long-term contracts, alternative selections, filing of contracts, service of process, and civil and criminal enforcement. The Motion Picture Fair Competition Act, Chapter 57, Article 5A, separately bars blind bidding before a trade screening, makes waivers void, and establishes written-bid, simultaneous-opening, inspection, notice, and negotiation procedures. These statutes give New Mexico stronger regulation for movie-theater distribution than for talent procurement.

8.5 Production, workforce, and film-investment incentives

The Film Production Tax Credit Act provides a refundable 25-percent base credit for qualifying direct production and postproduction expenditures subject to New Mexico tax. Section 7-2F-14 adds 10 percentage points for qualifying work in specified rural or distant locations and five percentage points for

9. Legislative Council Service Inventory

The following entries reproduce the Legislative Council Service spreadsheet descriptions and agency designations without substantive commentary or evaluation. Obvious typographical errors have been corrected without changing meaning. Each linked citation opens the NMONESOURCE location supplied by LCS.

9.1 Statutes

Statute / regulation	LCS description	Responsible state agency	NMONESOURCE
7-2F-1 et seq., Film Production Tax Credit Act	"The purposes and goals of the Film Production Tax Credit Act are to: A. establish the film industry as a permanent component of the economic base of New Mexico; B. develop a pool of trained professionals and businesses in New Mexico to supply and support the film industry in the state; C. increase employment of New Mexico residents; D. improve the economic success of existing businesses in New Mexico; and E. develop the infrastructure in the state necessary for a thriving film industry." (7-2F-3)	Taxation and Revenue Department	Open NMONESOURCE
7-3-1 et seq., Withholding Tax Act	Defines the terms employee and employer. Other sections within this act discuss the withholding of taxes	Taxation and Revenue Department	Open NMONESOURCE
7-9-1 et seq., Gross Receipts and Compensating Tax Act	7-9-62: "Receipts from the leasing or licensing of theatrical and television films and tapes to a person engaged in the business of providing public or commercial entertainment from which gross receipts are derived may be deducted from gross receipts."	Taxation and Revenue Department	Open NMONESOURCE
7-27-5.26 NMSA 1978	Investment in films to be produced in New Mexico (within the Severance Tax Bonding Act)	State Investment Officer; New Mexico film division of the economic development department (council)	Open NMONESOURCE
9-11-1 et seq., Taxation and Revenue Department Act	Establishes the division and duties of the taxation and revenue department	Taxation and Revenue Department	Open NMONESOURCE
9-15-1 et seq., Economic Development Department Act	Establishes the division and duties of the economic development department. This also includes the creation of a Governor's council on film and media industries (9-15-4.1) and statutes relating to the Creative Industries Division (see statutes starting at 9-15-5.1)	Economic Development Department; "The creative industries division shall work with the department, the cultural affairs department, the Indian affairs department, the higher education department, the public education department, the tourism department and the workforce solutions department to support the division's duties as they relate to the purposes of the respective departments." (9-15-5.1)	Open NMONESOURCE
9-16-1 et seq., Regulation and Licensing Department Act	Establishes the divisions and duties of the regulation and licensing department	Regulation and Licensing Department	Open NMONESOURCE
9-25-1 et seq., Higher Education Department Act	Establishes the divisions and duties of the higher education department	Higher Education Department	Open NMONESOURCE
9-26-1 et seq., Workforce Solutions Department Act	Establishes the divisions and duties of workforce services department	Workforce Solutions Department	Open NMONESOURCE
Chapter 21 of NMSA, State and Private Education Institutions	This chapter of the NMSA includes statutes relating to institutes of higher education and topics such as student loans and scholarships. You may wish to review this chapter to determine if any articles are relevant to your request.	Higher Education Department	Open NMONESOURCE

Statute / regulation	LCS description	Responsible state agency	NMONESOURCE
57-5-1 et seq, Motion Pictures	"The intent and purpose of this act [57-5-1 to 57-5-22 NMSA 1978] is to eliminate and prevent monopolies, restraint of trade, unfair combinations, favoritism, discrimination, overbuying or preference of any kind on the part of producers, distributors or any other person or persons, in favor of any person, corporation, firm or association owning or operating any motion picture theater or theaters, to the detriment of competitive owned and/or operated picture theater or theaters, or for any competitive exhibitor being discriminated against in favor of another competitive exhibitor or exhibitor" (57-5-2)	These sections do not appear to identify a state agency in charge of enforcement; 57-5-14 provides a civil remedy, but does not specify an agency that can bring forth an action. 57-5-21 mentions contracts pursuant to this act are to be filed with the Public Regulation Commission.	Open NMONESOURCE
57-5A-1 et seq, Motion Picture Fair Competition Act	"The purpose of the Motion Picture Fair Competition Act is to establish fair and open procedures for the bidding and negotiation of motion pictures within New Mexico in order to prevent unfair and deceptive acts or practices and unreasonable restraints of trade in the business of motion picture distribution within the state, to promote fair and effective competition in that business and to benefit the movie-going public by holding down admission prices to motion picture theaters, thereby expanding the choice of motion pictures available to the public and preventing exposure of the public to objectionable or unsuitable pictures by ensuring that exhibitors have the opportunity to view a picture before committing themselves to exhibiting it." (57-5A-2)	A state agency is not identified in these sections	Open NMONESOURCE
57-12-1 et seq., Unfair Practices Act	This act prohibits unfair or deceptive trade practices and unconscionable trade practices in the conduct of any trade or commerce.	Attorney General may file court action for civil penalty and may issue and file regulations necessary to implement and enforce any provision of the Unfair Practices Act. (57-12-11 through 15)	Open NMONESOURCE
57-12B-1 et seq, Privacy Protection Act	This act prohibits a business from requiring a consumer's social security number as a condition for the consumer to lease or purchase products, goods or services from the business	A state agency is not identified in these sections	Open NMONESOURCE
57-15-1 through 57-15-10 NMSA 1978, False Advertising	This act defines false advertising and prohibits false advertising in the conduct of any business, trade or commerce or in the furnishing of any service in this state.	Attorney General may bring an action under this act and may issue and file regulations necessary to implement and enforce any provision of this act (57-15-3 through 8)	Open NMONESOURCE
Chapter 61, Occupational and Professional Licensing	This is the chapter in statute where occupational licensing is discussed - you may wish to review each article to determine which ones are relevant	Regulation and Licensing Department	Open NMONESOURCE

9.2 Regulations

Statute / regulation	LCS description	Responsible state agency	NMONESOURCE
2.94.1.1 NMAC et seq.	LOCAL ECONOMIC DEVELOPMENT ACT (LEDA). ("Under the Local Economic Development Act, Section 5-10-1 NMSA 1978, the New Mexico economic development department is granted authority to administer grants to local governments (municipality or county) to assist expanding or relocating companies that are qualified entities that will stimulate economic development and produce public benefits pursuant to LEDA." (2.94.1.6))	Economic Development Department	Open NMONESOURCE
3.2.1.1 NMAC et seq.	GROSS RECEIPTS TAXES ("The objective of this part is to interpret, exemplify, implement and enforce the provisions of the Gross Receipts and Compensating Tax Act."[3,2,1,6])	Taxation and Revenue Department	Open NMONESOURCE
3.3.1.1 NMAC et seq.	PERSONAL INCOME TAXES ("The objective of this part is to interpret, exemplify, implement and enforce the provisions of the Income Tax Act."[3.3.1.6])	Taxation and Revenue Department	Open NMONESOURCE
3.13.9.1 NMAC et seq.	FILM PRODUCTION TAX CREDIT ("The objective of this part is to interpret, exemplify, implement and enforce the provisions of the film production tax credit." [3.13.9.6])	Taxation and Revenue Department	Open NMONESOURCE

Statute / regulation	LCS description	Responsible state agency	NMONESOURCE
11.5.1.1 NMAC et seq.	OCCUPATIONAL HEALTH AND SAFETY. (11.5.2.1 covers general industry)	Environmental Improvement Board	Open NMONESOURCE
11.6.1.1 NMAC et seq.	DAY LABORERS ("The objective of this rule is to establish regulations necessary for the enforcement of the Day Laborer Act." [11.6.1.6])	New Mexico Department of Workforce Solutions, Labor Relations Division.	Open NMONESOURCE
12.2.1.1 NMAC et seq.	CONSUMER PROTECTION. ("These rules govern the procedures for rule-making by the attorney general and shall be construed to secure a just and speedy determination of every proceeding. The purpose is to promote uniformity with respect to rule-making and this part shall be liberally construed to carry out that purpose." [12.2.1.6])	Attorney General	Open NMONESOURCE
Title 16 of NMAC	OCCUPATIONAL AND PROFESSIONAL LICENSING - you may wish to review all chapters within this title to determine which chapters may be relevant	Regulation and Licensing Department	Open NMONESOURCE

websites, memberships, publicity, or other services from the entity or an affiliate, or a company in which the talent representative has a financial interest.

6. Prohibit conflicts, kickbacks, deception, and hidden audition terms

Ban undisclosed financial interests, referral fees, kickbacks, and false or misleading claims about work, pay, affiliations, industry connections, or likelihood of employment. Disclose material vendor relationships. Casting entities may not tie consideration to purchasing any services.

7. Require financial security and auditable records

Require a surety bond or equivalent for categories presenting financial risk, with the amount set by RLD. Keep records sufficient to verify contracts, work procured or cast, commissions, fees, expenses, referrals, and financial interests. RLD should set category-appropriate retention of five years and privacy safeguards. Financially harmed performers may claim against the bond.

Protection of Minor Performers

8. Modernize child-performer trust accounts

Remove the $1,000 threshold in Section 50-6-19 NMSA 1978 and 11.1.4.13 NMAC. Require one qualified, portable blocked account for every compensated minor performer and employer deposits of at least 15% of all gross compensation, including residuals and deferred payments. Verify accounts through preauthorization; create a state custodial mechanism when information is missing; cover compensated digital-content performance; and add records, penalties, nonwaivable rights, and an appropriate private remedy.

9. Protect young performers' images and personal information

Require representatives, casting entities, productions, photographers, platforms, schools, and other covered providers to obtain verified parental consent before collecting photographs, recordings, or personal information from a child age 13 or younger. Limit collection to a disclosed purpose; include a parent or guardian in private communications; separately authorize public posting, sharing, biometrics, digital-replica use, or AI training; prohibit sale and unrelated use; and require security, breach notice, parent access and deletion rights, and prompt deletion when no longer needed.

Additional Proposal Under Discussion - Not Advanced with the Nine Observations

Status

The following proposal remained under discussion when the nine observations above were advanced. It is included for completeness and is not presented as one of the nine voted observations.

Appendix A: Comparative Legal Coverage Matrix

This legal-size matrix compares the statewide coverage described in the seven analytical profiles. 'Industry-specific' means an authority expressly addresses entertainment participants or production activity; 'targeted/limited' means the authority covers a narrower entertainment activity or population; 'general/common law' means no entertainment-specific statute was identified but another legal rule addresses the subject. 'Not identified' is a research classification, not a definitive legal conclusion.

New Mexico is evaluated under the same 15 categories as the six comparison states. Section 8 contains the analytical New Mexico profile; Section 9 separately preserves the Legislative Council Service inventory.

Panel 1 - California, New York, New Jersey, and Georgia (categories 1-8)

Legal coverage category	California	New York	New Jersey	
1. Talent-agency or intermediary licensing / registration	Industry-specific — Labor Code §§1700–1700.54 and 8 CCR §§12000–12033 license talent agencies; §1706 covers child-performer service providers.	Industry-specific — GBL art. 11 licenses theatrical employment agencies; Labor Law art. 35 registers model management companies.	Industry-specific — N.J.S.A. 34:2-43 et seq. and N.J.A.C. 13:45B license entertainment/casting agencies and individual agents.	Targeted/l employm Identified.
2. Activity-based coverage of procurement, casting, or paid access	Targeted/limited — Procurement triggers the Talent Agencies Act; separate provisions govern fee-related talent and child-performer services.	Targeted/limited — Theatrical employment-agency coverage is broad; model management is separately covered; no universal casting/listing category	Industry-specific — Coverage turns on procuring, offering, promising, or attempting to procure engagements for performing artists, including specified out-of-state conduct.	Targeted/l included v
3. Advance fees, paid access, and pay-to-play	Industry-specific — Labor Code §1702 prohibits advance-fee talent representation; §§1701–1705.4 regulate fee-related talent services.	Targeted/limited — Agency fee rules and the Fashion Workers Act restrict signing fees and specified deductions; no single cross-sector ban.	Targeted/limited — Filed fee schedules, written agreements, product-delivery limits, and refunds apply; entertainment agencies may accept advance fees	Not identi paid-acce sources.
4. Written agreements, commissions, and fiduciary duties	Industry-specific — Talent-agency and talent-service laws regulate contract forms, disclosures, fees, funds, and cancellation rights.	Industry-specific — GBL §181 governs agency contracts and engagement information; Labor Law art. 36 imposes fiduciary duties and a 20% commission ceiling for models.	Industry-specific — Signed plain-language contracts, filed forms, fee schedules, receipts, product terms, delivery limits, and refunds; no statutory fiduciary standard identified.	Targeted/l for minors Identified.
5. Bond or financial security	Industry-specific — Talent agencies and covered fee-related services must provide statutory bonds or deposits.	Industry-specific — Employment-agency bonding applies; model management companies with more than five employees post a $50,000 bond.	Industry-specific — N.J.A.C. 13:45B-2.3 and -6.3 require a $10,000 bond.	Not identi adult or m
6. Records, accounting, and inspection	Industry-specific — Agencies and fee-related services maintain contracts, trust/financial records, and records available to the Labor Commissioner.	Industry-specific — GBL art. 11 and Labor Law art. 36 require agency/model-management records, deal terms, payments, and inspection access.	Industry-specific — Executed contracts, advertisements, annual information, fee and placement records are retained and open to inspection.	Targeted/l and educa minors.
7. Complaint intake and enforcement channel	Distributed — Labor Commissioner for talent/minors; Cal/OSHA for production safety; courts and tax agencies for other rights.	Distributed — NYS DOL, NYC DCWP, courts, and Empire State Development administer different parts of the framework.	Distributed — Division of Consumer Affairs for agencies; NJDOL for minors; NJEDA/Taxation for credits; courts for common-law rights.	Targeted/l DOR admi
8. Child-performer permit or employer certification	Industry-specific — Labor Code §1308.5 and 8 CCR §§11750–11767 require minor work permits and employer permits.	Industry-specific — Labor Law art. 4-A and 12 NYCRR pt. 186 require child permits and employer certificates of eligibility.	Industry-specific — N.J.S.A. 34:2-21.57 to -21.59 require one-year employer and child permits; temporary permits and limited waivers are available.	Industry-s minor and

Panel 2 - Florida, Illinois, and New Mexico (categories 1-8)

Legal coverage category	Florida	Illinois	New Mexico
1. Talent-agency or intermediary licensing / registration	Industry-specific — Fla. Stat. ch. 468, pt. VII licenses talent agencies that procure or attempt to procure engagements.	Industry-specific — 225 ILCS 515 licenses private and theatrical employment agencies; 68 Ill. Adm. Code part 680 implements the Act.	Not identified — No entertainment-specific talent- casting license was identified in the reviewed NMS profession list.
2. Activity-based coverage of procurement, casting, or paid access	Targeted/limited — Coverage follows compensated procurement of engagements; casting or training alone is not a separate licensed category.	Industry-specific — Theatrical-agency coverage follows procuring, offering, promising, or attempting to procure entertainment engagements.	Not identified — No activity-based procurement, c registration category was identified; general consu services.
3. Advance fees, paid access, and pay-to-play	Industry-specific — §468.410 bars registration fees and conditioning access on classes, photography, workshops, résumés, or recordings.	Targeted/limited — Filed and posted fee schedule, contract forms, bona fide job orders, and receipt/refund rules; no cross-sector pay-to-play ban identified.	No entertainment-specific pay-to-play ban identifi §§57-12-1 et seq. and 57-15-1 et seq. address dec trade practices and false advertising.
4. Written agreements, commissions, and fiduciary duties	Industry-specific — §§468.406, .410 and .412 govern fee schedules, contract copies, records, refunds, assignments, and a three-business-day rescission right.	Industry-specific — Filed forms and fee schedules, written receipts, job terms, records, and refund requirements; no separate fiduciary standard identified.	No entertainment-specific written-agreement, cor fiduciary-duty scheme identified; General law — C and consumer-protection law may apply.
5. Bond or financial security	Industry-specific — Fla. Stat. §468.408 requires a $5,000 surety bond for each talent-agency license.	Industry-specific — 225 ILCS 515/2 requires a $5,000 bond with a civil action available to injured persons.	Not identified — No entertainment-intermediary l financial-security requirement identified.
6. Records, accounting, and inspection	Industry-specific — §§468.409 and .412 require booking, artist, fee, compensation, and payment records open to DBPR inspection.	Industry-specific — Job-order, applicant, advertisement, placement-fee, receipt, and refund records generally retained three years and open to IDOL.	No adult-intermediary accounting or inspection sc Targeted/limited — Child-performer preauthorizat background checks, trust statements, and related
7. Complaint intake and enforcement channel	Distributed — DBPR administers talent agencies and child labor; courts and tax agencies administer contracts, publicity, and exemptions.	Distributed — IDOL for agencies/minors; DCEO and Revenue for incentives; courts for publicity; Chicago Film Office for local permits.	Distributed — DWS/Labor Relations for child perfc consumer protection; courts for private claims; ED incentives and exhibition-related authorities.
8. Child-performer permit or employer certification	Industry-specific — §450.132 and Rule 61L-2.006 require entertainment employers to qualify and notify the state concerning minor employment.	Industry-specific — 820 ILCS 206 and 56 Ill. Adm. Code part 250 require employment certificates for child performers under 16.	Industry-specific — §50-6-18 and 11.1.4.10 NMAC preauthorization before employing an under-18 ac

Primary Source Directory

The directory provides visible URLs so that electronic and printed copies remain usable. Detailed authority tables contain additional linked citations. All NMONESOURCE entry-level links supplied by Legislative Council Service appear in Section 9; the two top-level New Mexico directories are listed below.

Jurisdiction	Source	URL
National	U.S. Department of Labor - Child Entertainment Laws	
National	HM17 Fiscal Impact Report and RLD agency analysis	
Market context	ProdPro Q2 2026 TV & Film Industry Insights Report	
Market context	Q2 2026 production-hub comparison and methodology	
Market context	ProdPro Q1 2025 trailing-12-month comparison	
Florida	FloridaCommerce Annual Report 2023	
Florida	FloridaCommerce Annual Report 2024	
California	Talent agency licensing	
California	Minor entertainment regulations	
California	Motion-picture safety	
California	Film and TV Tax Credit 4.0	
New York	General Business Law article 11	
New York	Child performer program	
New York	Fashion Workers Act	
New York	Judicial approval of minor entertainment contracts	
New York	Entertainment tax incentives	
New Jersey	Employment and Personnel Services	
New Jersey	N.J.A.C. 13:45B	
New Jersey	P.L.2025, c.332 child-performer law	
New Jersey	NJDOL theatrical permit and trust FAQ	
New Jersey	Atlas Data Privacy Corp. v. We Inform, LLC	
New Jersey	Film and Digital Media Tax Credit Program	
Georgia	Minors in entertainment	
Georgia	Rule 300-7-1	
Georgia	Film production incentives	
Georgia	2026 film-credit rules	
Florida	Talent Agencies Act	
Florida	Child labor and entertainment	
Florida	Entertainment-industry sales-tax exemption	
Illinois	Private Employment Agency Act	
Illinois	Private employment agency rules	
Illinois	Child Labor Law of 2024	
Illinois	Child performer rules	
Illinois	Right of Publicity Act	
Illinois	Film Production Services Tax Credit Act	

SUBCOMMITTEE 4: COMPLAINT AND EDUCATION PROCESSES

Recommended New Mexico Entertainment Complaint Process

One accessible door—from report to investigation, resolution, redress and follow-through

1 Single, accessible intake

Online, phone and paper options • performer, worker, parent/guardian, representative or witness • multilingual access • confidential options

2 Immediate screening and protection

Assign a case number and contact • explain anti-retaliation rights • preserve evidence • identify urgent danger or a minor at risk

Emergency branch: report imminent danger immediately; allow refusal/stop-work authority where law permits.

3 Lead office triage — a "no wrong door" rule

A designated entertainment-industry intake office (RLD model) screens the facts, identifies jurisdiction, and makes a warm referral without forcing the complainant to restart.

COORDINATED ROUTING

RLD / Lead Office	DWS	NMED OHSB	NM DOJ	Union / Courts / Police
Registration, business conduct, fee and contract rules	Wages, hours, minors, human rights	Safety, inspection, OSHA retaliation	Deceptive practices, fraud, consumer restitution	Contract enforcement, civil claims or criminal conduct

4 Investigation and interim action

Collect contracts, messages, payroll and other records • interview parties and witnesses • inspect when authorized • give respondent notice and opportunity to answer

Possible interim measures: safety abatement, preservation order, temporary restriction, no-contact measure or emergency referral—only within lawful authority.

5 Written finding

Substantiated • not substantiated • insufficient evidence • outside jurisdiction / referred — with reasons, next steps and review rights stated in writing.

RESOLUTION & REDRESS

The outcome must address the harm—not merely close the file.

INDIVIDUAL MAKE-WHOLE

- Unpaid wages or contract payment
- Refund / restitution / reimbursement
- Damages or other relief if authorized
- Reinstatement or correction of records
- Protection from retaliation

SAFETY & CORRECTIVE ACTION

- Refusal or stop-work when authorized
- Hazard abatement and safe work plan
- Training, policy or scheduling changes
- Minor-performer safeguards
- Monitoring and follow up inspection

REGULATORY CONSEQUENCES

- Warning, compliance order or cease and desist
- Civil penalty and bond claim
- Probation, suspension, revocation or denial of registration/license if enacted
- Referral for additional enforcement

DISPUTE / SYSTEMIC RELIEF

- Informal resolution, mediation or settlement
- Administrative hearing/order
- Union grievance or arbitration
- Court or criminal referral where appropriate
- Compliance plan and repeat-violation tracking

6 Review, compliance and closure

Provide appeal or review rights • set compliance deadlines • verify that payment, correction or abatement occurred • notify the complainant of closure

Publish de-identified aggregate data so repeat problems and enforcement gaps inform policy.

PROCESS GUARANTEES

NO WRONG DOOR | ANTI-RETALIATION | STATUS UPDATES | CLEAR DEADLINES | CONFIDENTIALITY | INTERAGENCY TRACKING

Why Education Should Be the Focus

Existing protections are substantial; the opportunity is making them easier to understand and use.

EXISTING PROTECTIONS

SAG-AFTRA agreements, franchised-agent rules, child performer safeguards, safety standards and complaint pathways.

COMMON CONFUSION

New performers may not know who hires them, who represents them, what fees are legitimate, or where to report a real violation.

EDUCATION RESPONSE

Give performers, parents and productions one clear map to established resources and professional roles.

Recognize Legitimate Representation

Understand who hires whom, how casting works, and where professional representation fits.

STANDARD CASTING WORKFLOW

1. Production hires a casting director.
2. Casting issues a breakdown to appropriate talent representatives.
3. Agents submit performers for consideration.
4. Casting selects performers for auditions and callbacks.
5. Casting recommends selections to production; representatives handle booking and contract details.
6. Production provides booked performers with call time, wardrobe and logistics.

WHO DOES WHAT?

Casting Director	Runs auditions and recommends performers to production.
Background Casting	Casts extras/background performers.
SAG-AFTRA Talent Agent	Submits performers and negotiates employment under applicable union rules.
Personal Manager	Provides career guidance and long-term strategy.
Publicist	Handles publicity, media and public-facing promotion.

UNION
Collective-bargaining protections and contract enforcement.

NON-UNION
Individual employment agreements and applicable state/federal protections.

REPRESENTATION
Agents, managers and other professionals have different roles.

PROTECTION
Clear contracts, ethical practices and established complaint pathways.

Understanding SAG-AFTRA

What the union is, what it protects, and how performers can use its existing resources.

WHAT IS SAG-AFTRA?

- National labor union representing actors and other media professionals.
- Negotiates collective bargaining agreements covering wages and working conditions.
- Represents approximately 160,000 media professionals nationwide.
- New Mexico has a dedicated SAG-AFTRA Local serving performers in New Mexico

WHAT DOES IT PROTECT?

- Minimum compensation and contractual terms.
- Meal periods, rest/turnaround and other working-condition protections.
- Safety provisions and on-set support.
- Health and pension benefits for eligible members.
- Contract enforcement when a signatory employer violates a collective bargaining agreement.

HOW A PERFORMER GETS HELP

- Start with the production or appropriate on-set representative when appropriate.
- Contact SAG-AFTRA when a union-contract issue remains unresolved.
- Submit a claim inquiry for an alleged contract violation.
- SAG-AFTRA Contracts staff investigate the facts and applicable agreement.
- Valid claims may be pursued formally against the signatory employer.

NEW MEXICO RESOURCES

- Career resources, casting notices and production listings.
- Background actor support and contract information.
- Professional Representatives resources.
- On-set emergency assistance.
- Local contact and contract support through the New Mexico Local.

Key point: SAG-AFTRA provides a structured system for contracts, representation, safety, education and contract enforcement.

Public Relations & Personal Managers: Education vs. Regulation

Two professional roles where clear education about standards, contracts and legal boundaries can help performers make informed decisions.

PUBLIC RELATIONS (PR)

- PR is generally practiced without a state professional license; requirements can vary for specific regulated activities.
- Professional credibility is commonly demonstrated through experience, portfolios, education and voluntary credentials.
- PRSA offers the voluntary Accredited in Public Relations (APR) credential, assessing knowledge, experience, ethics and professional judgment.
- Continuing education helps establish ethical and effective practice without requiring a government license.

PERSONAL MANAGERS

- SAG-AFTRA distinguishes managers from agents: managers focus on career advice, development and overall strategy.
- Managers are not franchised by SAG-AFTRA and are generally less regulated than agents.
- State laws differ. In some jurisdictions, managers cannot procure employment without working through a licensed agent.
- SAG-AFTRA advises performers to understand the manager's role and review management contracts carefully before signing.

Key takeaway: educate performers about roles, credentials, contracts and legal boundaries before adding new layers of regulation.

Sources: PRSA / Universal Accreditation Board • SAG-AFTRA Agents & Managers resources

The Education Model

A practical approach that builds on protections already available

1 EDUCATE

Explain roles, rights, casting and representation.

2 RECOGNIZE

Identify legitimate opportunities and red flags.

3 ROUTE

Direct genuine complaints to the appropriate union or government channel.

4 EMPOWER

Help performers and parents make informed career and financial decisions.

The strongest education initiative would connect people to existing SAG-AFTRA, Casting Professionals, and Film Office resources—not duplicate them.

Educated performers are better equipped to recognize legitimate opportunities, avoid common pitfalls and know where to turn when a real problem occurs.

New Mexico Education Resources: A Connected Model

Existing organizations already provide education, professional standards, safety information and performer resources.

NEW MEXICO FILM OFFICE

- Training opportunities and acting/audition education
- Casting calls, Industry FAQs and education resources
- Union information and Set Safety resources

SANTA FE FILM OFFICE

- Casting Directors, Background & P.A. resources
- Safety on Set and Proper Conduct / Complaints
- Actors & Crew information for Santa Fe productions

ALBUQUERQUE FILM OFFICE

- Resources for Actors and background performers
- Casting directors, talent agencies and background casting
- Safety on Set and state safety/reporting resources

SAG-AFTRA + Industry

- Union contracts and performer protections
- Young performer and parent education
- Representation, claims and professional resources

CASTING SOCIETY (CSA)

- Professional standards for casting professionals
- Code of Conduct and member accountability
- Casting education and professional development
- Complaint and disciplinary process for members

NMDWS / OSHA / EEOC

- Child performer and employment information
- Workplace safety and occupational health resources
- Labor, safety and discrimination complaint pathways

Policy opportunity: connect these existing resources through one clearly promoted performer-education hub.

Education • Casting • Representation • Safety • Complaint pathways

New Mexico Film Office • Santa Fe Film Office • Albuquerque Film Office • SAG-AFTRA • CSA • NMDWS • OSHA • EEOC

Film New Mexico

Steve Graham
Director
New Mexico Film Office
505-623-1238 | steve@nmfilm.com

From: Graham, Steve, EDD <steve.graham@edd.nm.gov>
Sent: Wednesday, October 7, 2026 3:59 PM
To: Salazar, Melissa, RLD <melissa.salazar@rld.nm.gov>; Monette, Josett, IAD <josett.monette@iad.nm.gov>; pamelya.herndon@nmlegis.gov; mercedes.herrera@nmlegis.gov; bronwen.murray@sagaftra.org; John.Block@nmlegis.gov; Cynthia.Borrego@nmlegis.gov; gabriella.griego@nmlegis.gov; Shendo, Benny <benny.shendo@nmlegis.gov>; cmccrossen@cabq.gov; andrew@filmlascruces.com; acgriego@santafenm.gov; jllabartapia@santafenm.gov; Bussey, Rochelle, EDD <Rochelle@nmfilm.com>; Jo Edna Boldin <joednacasting@gmail.com>; shannon.pinto@nmlegis.gov; bjimenez <bjimenez@nmdoj.gov>; aallen@nmdoj.gov; The O'Agency <lynette@o-agency.com>
Cc: Aranda-Martinez, Christina, RLD <christina.aranda-martinez@rld.nm.gov>; Bernal, Jey, EDD <jey@nmfilm.com>
Subject: Re: HM-17 Education Recommendation Draft

Hello everyone,
I'm resending the draft education recommendation for consideration in tomorrow's meeting. No edits or additions have been suggested. As I offered in the last meeting, NMFO can lead the coordination and implementation.

-Steve

Education Page / Resource Content

- Build a shared content package (role guide, red-flag list, FAQs, resource links) that NMFO, Santa Fe, Albuquerque, and Las Cruces work on together
- Include links to organizations and resources, simple guides, existing paths to report problems
- Establish a process for updates to the pages including who does what, review cadence, and sign-off
- Each office will create pages or sets of pages and post to their individual sites (alternately, we can create on set of pages and all link to that)

"Don't Get Scammed" Social Media Campaigns

- Define key messages and target audience (new performers, parents of minors)
- Design campaign assets — graphics, red-flag checklists, carousel posts
- Coordinate cross-posting with Santa Fe/Albuquerque/Las Cruces and SAG-AFTRA NM Local or BANM where possible
- Launch and track engagement (reach, saves, shares)

Talking Points for Events, Panels, and Comms

- Draft a standard talking points doc on scam awareness and role clarity

- Each office will create pages or sets of pages and post to their individual sites (alternately, we can create on set of pages and all link to that)

"Don't Get Scammed" Social Media Campaigns

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- Launch and track engagement (reach, saves, shares)

Talking Points for Events, Panels, and Comms

- Draft a standard talking points doc on scam awareness and role clarity
- Incorporate into scheduled events, panels, and industry outreach
- Distribute to all parties for their own outreach

Ongoing / Sustaining

- Collaborate on informal feedback and basic metrics (page visits, video views, social reach) from film offices and partners
- Review and refresh links, contacts, and talking points periodically
- Revisit the plan annually to decide what to repeat, expand, or retire

These would not be part of the recommendations, but here are a few other ideas for future efforts/enhancements (additional resources necessary):

Create 'canned' stand-alone evergreen explainer (in-house/low-budget)

- Could be based on recorded Webinar or orientation for performers and/or parents
- Script a simple format — myth vs. fact or short testimonials rather than scripted narrative
- Shoot with phone/DSLR at one location; use an NMFO staffer or credible industry voice (e.g., SAG-AFTRA NM rep) on camera
- Edit in-house (Premiere/CapCut)
- Budget mainly for time; small line item for mic/stock music if needed
- Distribute via social, education page, and partner orgs
- Lives permanently on our sites

Production-Facing Education, Not Just Performer-Facing

- The deck notes NMFO already provides a "resource packet to productions" — consider formalizing a short onboarding brief for productions filming in NM on where to direct performers with questions/complaints, so productions become a distribution point too
- This also protects productions — a performer who understands legitimate channels is less likely to escalate confusion into a dispute or bad press
- Could include handout or form for productions to distribute

Complaint Pathway Tool

- The deck references OSHA, NMDWS, SAG-AFTRA claims, and CSA complaint processes as separate systems — a simple "where do I report X" decision tool (flowchart or short quiz) could reduce confusion about which channel applies to which issue
- This might be incorporated into a data gathering tool if that is a separate committee recommendation

Reach New Performers

Aranda-Martinez, Christina, RLD

From: Angelique Midthunder <angeliquemidthunder@gmail.com>
Sent: Friday, August 21, 2026 4:54 PM
To: bronwen.murray@sagaftra.org
Cc: Aletheia Allen; Aranda-Martinez, Christina, RLD; Monette, Josett, IAD; pamelya.herndon@nmlegis.gov; mercedes.herrera@nmlegis.gov; John.Block@nmlegis.gov; Cynthia.Borrego@nmlegis.gov; gabriella.griego@nmlegis.gov; Shendo, Benny; Graham, Steve, EDD; cmccrossen@cabq.gov; andrew@filmlascruces.com; lilly@bankstontalent.com; acgriego@santafenm.gov; Salazar, Melissa, RLD; jllabartapia@santafenm.gov; Bussey, Rochelle, EDD; bjimenez; Quintanar, Alvaro, EDD
Subject: [EXTERNAL] Re: HM 17 Task Force Meeting - August 25, 2026 [LOCATION: 2550 Cerrillos Rd., Santa Fe, NM]

CAUTION: This email originated outside of our organization. Exercise caution prior to clicking on links or opening attachments.

Hi everyone,

Unfortunately, I have to withdraw my participation from the Task Force. I will be out of the country for the next few months and I did not realize when I saw the original email how much time this would entail.

To be honest, I have been working in New Mexico's film industry since 1995 and I don't believe that this task force is necessary. For all of the issues discussed, there seem to already be rules, laws and guidelines in place. It seems the best route is *a focus on education.*

If it is ultimately agreed that regulations do need to be put in place, I would request on behalf of New Mexico's Casting Directors that C.S.A. members are excluded, as we are already regulated. And for agents, it seems that SAG Franchised agents would also not need further regulation.

My request is that our time and resources be spent on bringing the work back to New Mexico. After being a member of SAG for over 30 years and IATSE for nearly 20 years, my husband has not had a job in almost 2 years. We are seeing friends who have had lifelong careers in the film industry now working in restaurants and driving Uber.

Thank you all so much for your time and attention. I truly appreciate all that you do for us!

All my best,
Angelique Midthunder

Angelique Midthunder, CSA
Midthunder Casting, LLC
818.613.9208

On Fri, Aug 21, 2026 at 2:40 PM Aletheia Allen <AAllen@nmdoj.gov> wrote:
Thanks Christina -

ATTACHMENT 12