

HOUSE BUSINESS AND EMPLOYMENT COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 216

**52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

AN ACT

RELATING TO TAXATION; PROVIDING FOR THE ASSIGNMENT OF FILM  
PRODUCTION TAX CREDITS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Film Production Tax  
Credit Act is enacted to read:

"[NEW MATERIAL] ASSIGNMENT.--

A. A film production company that is eligible to  
receive a film production tax credit may assign the payment of  
an authorized film production tax credit to a third-party  
financial institution, or to an authorized third party, one  
time in a full or partial amount. If the parties to the  
assignment have complied with the procedures established by the  
taxation and revenue department for the assignment of a film  
production tax credit payment, the department shall remit to

.200344.1

underscored material = new  
[bracketed material] = delete

1 the institution that amount of tax credit approved by the  
2 department that would otherwise be remitted to the company.

3 B. For the purposes of this section:

4 (1) "authorized third party" means an entity  
5 that:

6 (a) holds the rights to a film for which  
7 a film production tax credit may be claimed; and

8 (b) initiates that film's production;  
9 and

10 (2) "financial institution" means:

11 (a) a fund purposely created to produce  
12 a film; or

13 (b) a bank, savings institution or  
14 credit union that is organized or chartered pursuant to the  
15 laws of New Mexico or the United States and that files a New  
16 Mexico income tax return."

17 SECTION 2. APPLICABILITY.--The provisions of this act  
18 apply to taxable years beginning on or after January 1, 2015.