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Tennessee Film, Entertainment & Music Commission ("TFEMC") Production Incentive

Guidelines and Instructions for Application

Rev. June 21, 2013

DISCLAIMER: These are intended to be guidelines only and are subject to revisions. Please check with the Tennessee Film, Entertainment & Music Commission prior to submitting any applications to verify you are using the latest guidelines.

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Section 1 – Program Overview

1.1 Amount of Incentive

1.1.1 General Percentage

The Tennessee Film, Entertainment & Music Commission ("TFEMC") Production Incentive offers a twenty-five percent (25%) grant on Qualified Tennessee Expenditures to Production Companies filming within Tennessee. Production Companies will enter into a Grant Contract with the Tennessee Department of Economic & Community Development ("ECD") upon review and approval from the ECD Grants & Loans Committee. Funds are distributed to Qualified Production Companies through a Grant Contract and no expenditures will qualify until the execution of a Grant Contract.

1.1.2 Program Funding

The TFEMC Production Incentive is funded through the Film/TV Fund. Funding for the Film/TV Fund is determined by the Tennessee General Assembly on an annual basis.

1.2 Purpose of Program

The program was enacted with the best interests of the State of Tennessee, which include, but are not limited to, marketing the state as well as job creation and economic development. This is not a "first come, first serve" program nor one of unlimited resources. The TFEMC & ECD shall have the sole discretion of awarding these incentives, in furtherance of the best interests of the State of Tennessee. The criteria for the Production Incentive are described herein. Any questions and/or requests for clarification can be directed to the TFEMC.

1.3 Production Credits to Tennessee

The Production Company must provide production credits (including a logo provided by TFEMC) to the Governor, the State of Tennessee, Tennessee Film, Entertainment and Music Commission (TFEMC), Department of Economic and Community Development (ECD) and regional film commission(s) (if applicable) that provided services to the Production Company, as well as a "Filmed in Tennessee" Logo acknowledging that the Production was filmed in the State of Tennessee.

Section 2 – Eligibility Requirements

2.1 Types of Eligible Projects

Feature films, television episodes, television pilots and television commercials with national advertising messages that are broadcast on a National Network or a Cable Network are eligible to apply for the incentive program provided that such productions are filmed in the State of Tennessee

Live and recorded events, including news, sports, concerts and awards shows; talk shows, variety show formats; documentaries; music videos; webisodes; unscripted television; corporate marketing or training videos; projects consisting primarily of stock footage and/or interviews; trailers promoting

theatrical films not filmed in Tennessee; photo shoots or still photography; website development; and anything that is not original content recorded in Tennessee, will NOT qualify to receive an incentive.

The script and resulting production must not be obscene in nature, as defined by TCA 39-17-901, or portray Tennessee or Tennesseans in a negative light. The project must also have a Tennessee Connection. The content of the production must also not require that records be maintained pursuant to 18 U.S.C. Sec. 2257 with respect to any performer portrayed therein.

The Production Company must comply with all applicable state and federal laws.

2.2 Minimum Spend

Production Companies are required to have a minimum of $200,000 in Qualified Tennessee Expenditures per production/per episode.

2.3 Principal Photography Start Dates

Principal Photography must begin in Tennessee within 120 days from the Effective Date as defined in the Grant Contract.

2.4 Date Requirements for Eligible Expenditures

Any expenses incurred before the Effective Date do not qualify as Qualified Tennessee Expenditures. Expenses must be incurred within 12 months following the Effective Date. All financial obligations incurred in-state must be satisfied (see Section 5 for completion notification) prior to submission of application for grant.

Section 3 – Application Process and Requirements

3.1 Required Forms

- Form A- Registration for Certification of Conditional Eligibility (see Index of Appendices)
- Form A: Annex I- Due Diligence Questionnaire (see Index of Appendices)

3.2 Timing of Forms

TFEMC recommends submitting Form A and Form A: Annex I - Due Diligence Questionnaire at least four (4) months before the start of Principal Photography to allow for adequate time for the TFEMC to complete the application review and award process (see Section 4).

3.3 Other Required Information

- Detailed preliminary budget
- Written description of project, including script and synopsis
- List of creative elements, if known (i.e. principal cast director, line producer, location manager, etc.)
- Plans for distribution, including the names of any distributor(s) to the extent known
- Description of the source(s) of financing (including any private placement memorandum)

Section 4 – Application Review and Award Process

4.1 Certificate of Conditional Eligibility

Upon the satisfaction of the initial application procedures by the Production Company and the approval of the Production by the ECD Grants & Loans Committee, the TFEMC will issue a Certificate of Conditional Eligibility ("CCE") for the TFEMC Production Incentive to the Production Company. The CCE will certify that the Form A and Form A: Annex I - Due Diligence Questionnaire filed on behalf of this Production for participation in the program have been approved and the requested funds have been reserved for the Production Company. The CCE will outline the approved estimate of Qualified Tennessee Expenditures and provide the anticipated incentive amount.

The receipt of the CCE does not guarantee availability of the incentive funds nor the amount of funds ultimately awarded, as these are contingent on the final budget and the production meeting the requirements of the incentive program. Application approval is at the discretion of the ECD Grants & Loans Committee.

4.2 Grant Contract

Production Companies will enter into a Grant Contract, typically within two weeks of the issuance of the CCE, with the Department of Economic and Community Development. No expenditures will qualify until a Grant Contract is fully executed by both parties. Any anticipated increase in the Production Company's Qualified Tennessee Expenditures, must be submitted to the TFEMC in writing and approved by the ECD Grants and Loans Committee or the additional expenditures will not be eligible for qualification. Any requests for the additional reservation of funds need to be submitted to the TFEMC on Form D and approved by the ECD Grants and Loans Committee (see Index of Appendices). The allocation of additional funds is subject to the availability of funds and the discretion of the Grants and Loans Committee. If it is determined that the Production Company has attempted to circumvent ANY of these guidelines, the ECD may exercise its right to terminate the Grant Contract.

4.3 Pre-Production Meeting

The Production Company must meet with TFEMC to discuss the Production before Principal Photography begins.

Section 5 – Qualified Expenditures

- Expenditures are considered Qualified Tennessee Expenditures only to the extent that the costs are clearly and demonstrably incurred in Tennessee in the pre-production, production and post-production phases of a Qualified Production.
- Incurred in Tennessee means payments made for goods or services used in the state in connection with a Qualified Production AND purchased from a Tennessee Vendor or paid to a Tennessee Resident for a Qualified Production.
- Refer to Appendix B for an account by account description of eligibility.

5.1 Common Eligible Expenditures and Criteria for Qualification

- Qualified Tennessee Expenditures directly associated with the Production including art direction, wardrobe, make-up, hair, location fees, rental of facilities and equipment, scoring/soundtrack, special effects and all other customary post-production costs.
- Wages, salaries, fees, per diem and fringe benefits (including pension, workers compensation and health and welfare payments) of Tennessee Resident cast and crew (whether paid to an individual, loan-out company or any other entity). Eligible spend is limited to the first $250,000 in gross wages, salaries, fees, per diem and fringe benefits paid to a Tennessee Resident. (See Section 5.6)
- Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-Residents related to services performed in Tennessee.
- Travel of cast and crew to/from and within Tennessee, when purchased from a Tennessee Vendor (does not include private/charter flights).
- Insurance when purchased through a Tennessee Vendor and purchased specifically for a Qualified Production.
- Music related expenditures purchased from a Tennessee Vendor or Tennessee Resident including licensing, studio rentals, studio musicians, and equipment rental for the Qualified Production.

5.2 Common Ineligible Expenditures

The following are examples of common expenditures incurred by Production Companies that are not eligible for the Production Incentive. This is not intended to be a complete list and is only provided for reference for typical Productions.

- Any wages, salaries, and/or fees, of non-resident cast and crew members
- Costs/fees associated with advertising, marketing, distribution, financing and completion bonds
- Alcohol and tobacco – including use as props
- Cell phone reimbursements
- Contingency fees
- Development fees
- Profit sharing payments
- Gifts/prizes
- Wrap party expenses
- In-kind services/goods
- Expenditures incurred in Tennessee for portions of Productions occurring out-of-state. (i.e. travel, equipment rental, crew/talent hires, or post-production for any portions of projects filming outside Tennessee).
- Post-production of a project that did not shoot in Tennessee, or has already shot in Tennessee without receiving the required TFEMC approval in advance.
- Any expenditure for an approved project that is related to portions of a Qualified Production did not physically occur in Tennessee.
- Payments made directly to the government (federal, state, county or city), including permits, postage and employer payroll taxes (FICA, SUI, etc.).
- Expenditures made to Section 501(c), non-profit organizations (including Goodwill, Salvation Army, churches, museums, schools, etc.)

5.3 Pass-Through Companies

A Tennessee Vendor cannot be a pass-through company. If the vendor is a Tennessee Vendor but appears to be a pass-through company, then only those dollars that are of benefit to Tennessee will be allowed for the TFEMC incentive.

For example, ABC Productions pays Tennessee Supplier Company (TSC) to broker equipment and supplies for a film production. TSC finds equipment to lease from Jersey Film Supplies (JFS) in New Jersey for a $100,000 leasing fee. TSC charges ABC Productions $105,000 for equipment from JFS and $10,000 for supplies purchased in Tennessee and a $2,000 handling fee totaling $117,000. Only the $10,000 supplies expense, $5,000 up charge ($105,000 less $100,000) and $2,000 handling fee totaling $17,000 are Qualified Tennessee Expenditures.

5.4 Assets

For the purchase of office, post-production or effects equipment (including but not limited to computers, hardware and relevant components, printers, copiers, etc.), Tennessee Qualified Expenditures will include the lesser of the net costs of the asset after sales proceeds (if assets are sold) or 20% of the original cost.

For all assets, other than office, post-production or effects equipment, with an original purchase price over $5,000 the potential Tennessee Qualified Expenditures will be limited as follows:

- If the asset is sold, the Tennessee Qualified Expenditures shall be the lesser of the net costs of the asset after sales proceeds or 50% of the original cost of such asset.
- If the asset is retained, donated, gifted or lost, the Tennessee Qualified Expenditures shall be no more than 50% of the original cost of such asset.
- If the asset is destroyed during the process of production, the Production Company shall maintain documentation to support the destruction of the asset (e.g. call sheets, production reports, still photographs, video footage, etc.) and 100% of that asset shall qualify as a Tennessee Qualified Expenditure.

5.5 Related Party Transactions

Payments exchanged between multiple companies having the same or similar owners must be “arm’s-length” and shall be interpreted to include companies approved to receive the incentive, payments that are made to that company’s owner, partner or principal. In order to substantiate that the Production is conducting transactions at “arm’s-length” the Production Company must solicit and maintain documentation of three bids, from non-related parties, to perform the same services or provide the same products as the related party. To be a Qualified Tennessee Expenditure the amount paid to related party may be no more than the lowest of the three non-related party bids as well as meet the requirements as laid out in Section 5.

5.6 Residence and Related Reporting Requirements

The Production Company shall maintain a Form B - *Tennessee Declaration of Residency* (see Index of Appendices) for each individual for whom the Production Company is seeking an incentive. Tennessee

Residents must meet Tennessee Resident criteria, which require a Tennessee driver's license or identification (ID only) license. According to state law new residents or those returning to Tennessee and holding a driver's license from another state must obtain a Tennessee driver's license no later than thirty (30) days after establishing residency. All new or returning residents must surrender their out-of-state license at time of application for Tennessee license. Tennessee law does not allow a resident of this state to hold more than one valid driver's license or ID. Only foreign country licenses/IDs may be retained. All applicants obtaining an ID only license must meet the same standards for proof of identity, legal presence and residency as required for any driver's license. In order for expenses to qualify the individual must have a Tennessee driver's license or Identification (ID Only) license prior to each payment by the Production.

5.7 Completion Notification

Upon the completion of Principal Photography, the Production Company must post a notice, once a week for three consecutive weeks, in local newspapers distributed in each Tennessee location where production took place, notifying the public of the need to file creditor claims with the Production Company by a specified date. The Production Company agrees that outstanding obligations are not waived by a creditor failing to file such claim by the specified date. The Production Company must include the production title, address, phone, fax, and contact name(s) of its primary or corporate office - not a temporary Tennessee production office - as vendors need to be able to contact the company after it has closed its local production office. Tennessee based companies should include their Tennessee primary or corporate office information. The Production Company must submit this information to the TFEMC and submit a copy of the newspaper bill for all three weeks to the TFEMC.

Section 6 – Financial Compliance (CPA Agreed Upon Procedures)

6.1 Process and Timing

A Certified Public Accountant ("CPA") hired by the Production Company will issue an Independent Accountants' Report on Applying Agreed Upon Procedures ("AUP") including the procedures required in Section 6.2 in accordance with attestation standards established by the American Institute of Certified Public Accountants. The AUP is to be submitted to TFEMC within 18 (eighteen) months of the Effective Date as defined by the Grant Contract. In the event that the Production Company needs additional time to submit the required documentation a written request can be submitted to TFEMC.

6.2 Specific CPA Agreed Upon Procedures

The agreed-upon procedures will be as follows:

1. The CPA will read the regulations and guidelines of the Production Incentive.
2. The CPA will obtain from the Production Company a general ledger listing of all expenditures the Production Company determines to be Qualified Tennessee Expenditures.
3. The CPA will test certain Qualified Tennessee Expenditures, paid to individuals (payroll) selected from the general ledger, whether they were made to an individual or a loan-out company. The

items will be selected in accordance with Appendix F. For each item selected, the CPA will verify to supporting records (timecard or equivalent documentation):

a. The agreement of the date the expense was incurred
b. The individual/loan-out company name
c. Amount of the expense
d. Tennessee Resident status of the employee
e. Qualification in accordance with the TFEMC Guidelines
f. For payments made to loan-out companies or other entities, the CPA will verify that the loan-out company or other entity is a Tennessee Vendor.

4. The CPA will test certain Qualified Tennessee Expenditures, other than payments to individuals (non-payroll) selected from the general ledger. The items will be selected in accordance with Appendix F. For each item selected, the CPA will verify to supporting records (invoice or equivalent documentation):

   a. The agreement of the date the expense was incurred
   b. The vendor name
   c. Amount of the expense
   d. Qualification in accordance with the TFEMC Guidelines
   e. For payments made to loan-out companies or other entities, the CPA will verify that the loan-out company or other entity is a Tennessee Vendor.

5. The CPA will obtain fixed asset listings from the Production Company of all assets used in the Production as follows: (1) all office, post-production, and effects equipment; and (2) all other assets not considered office, post-production and effects equipment with an original purchase price over $5,000. The listings should indicate the status of the assets (e.g. retained, donated, gifted or lost, etc.). A copy of both listings should be attached to the report. For all assets on the listings perform the following procedures:

   a. For all office, post-production or effects equipment (including but not limited to computers, hardware and relevant components, printers, copiers, etc.), verify that the Qualified Tennessee Expenditure is the lesser of the net costs of the asset after sales proceeds (if assets sold) or 20% of the original cost.
   b. For all assets over $5,000 not including office, post production and effects equipment, verify the following: (1) If the asset is sold, verify that the Tennessee Qualified Expenditure is the lesser of the net costs of the asset after sales proceeds or 50% of the original cost of such asset; (2) If the asset is retained, donated, gifted or lost, verify that the Tennessee Qualified Expenditure is 50% of the original cost of such asset; and (3) If the asset is destroyed during the process of production, verify that the production company maintains documentation to support the destruction of the asset (e.g. call sheets, production reports, still photographs, video footage, etc.) and allow 100% of the original cost of that asset.

6. The CPA will apply the rate of misstatement of the exceptions identified in procedure 2 and 3 above, if any, to the respective populations tested. The rate of misstatement will be calculated by the total value of the exceptions identified, divided by the total dollar value tested, and multiplied by the respective populations tested. The total of all calculated misstatements for

each population tested will be deducted from the original schedule of Qualified Tennessee Expenditures to arrive at a revised amount of Qualified Tennessee Expenditures. For exceptions noted in procedure 4, adjust the Tennessee Qualified Expenditures for known misstatements noted and attach a listing of those misstatements.

7. The CPA will recalculate the amount of tax credit by multiplying the total Qualified Tennessee Expenditures from the general ledger obtained in procedure 2 (above), as adjusted for the extrapolated misstatement identified in number 6 above by twenty-five percent (25%).

6.3 General Requirements

- The cost report must be in US dollars.
- The period during which the expenditures were incurred must be disclosed.
- For selected payments made to loan-out companies or other entities, the CPA must verify that the loan-out or other entities are Tennessee Vendors.
- The costs to be recorded are actual costs and shall not include any mark-ups or profit additions on the part of the production entity receiving the rebate.
- It is the Production Company's responsibility to ensure that all of the required information is provided.
- CPA shall be a licensed firm who has undergone a successful peer review in the most recent reporting cycle. Prior to the State's acceptance of the Independent Accountants' Report the Production Company must submit to the State a copy of the CPA's license & most recent peer review.
- All Qualified Tennessee Expenditures must be net of any refunds, rebates or insurance claims.

Section 7 – Reporting Process

7.1 Forms

Form B: Tennessee Declaration of Residency (for each Resident the Production Company is claiming credit for)

Form C: Incentive Application

7.2 Timing

All expenditures must be incurred within the Twelve (12) Month Qualification Period and all required information shall be submitted to TFEMC within eighteen (18) months of the Effective Date.

7.3 Data Reporting Requirements

See Appendix D – "Tracking Tips and Data Requirements" for complete set of data submission requirements and helpful hints for recording expenses during the Production.

7.4 Demonstration of Work

Prior to finalization and payment of the incentive, the production company will provide a copy of the Production, or the most recent edited version of the Production, on DVD to TFEMC & ECD. The production company will also provide at least five production still photos in an electronic format with rights cleared for promotional use and, for feature films only, at least one poster for promotion of the project.

7.5 Final Credit Award and Payment

The Production Company will not be entitled to receive any incentives, nor will they file any of their claims with the state, until the internal evaluation of program requirements shows that the Production Company has complied with all its obligations under this program. Payments will be made by direct deposit **upon** the completion of the review process.

In order to receive the Production Incentive, the Production Company must enter into a payment contract with the State of Tennessee and will also be required to submit an invoice for 25% of the amount of adjusted Qualified Tennessee Expenditures listed in the Independent Accountants' Report on Applying Agreed Upon Procedures, a substitute Form W-9 (download at http://tn.gov/film/PDF/Incentives/SubstituteW9.pdf), and the ACH Form (download at http://tn.gov/film/PDF/Incentives/ACHregistration.pdf) along with the required voided check or deposit slip.

7.6 Hold Harmless

The payment contract requires the Production Company to indemnify and hold harmless the State of Tennessee as well as its officers, agents, and employees from and against any and all claims, liabilities, losses, and causes of action which may arise, accrue, or result to any person, firm, corporation, or other entity which may be injured or damaged as a result of acts, omissions, or negligence on the part of the Production Company, its employees, or any person acting for or on its or their behalf relating to the Production.

Section 8 – Confidentiality

8.1 Tennessee Public Records Act

The Tennessee Public Records Act is found in Tennessee Code Annotated ("TCA") § 10-7-101 and the sections that follow it. For purposes of access to public records, the operative provision is found in TCA § 10-7-503, which says: "All state county and municipal records ... shall at all times, during business hours, be open for public inspection by any citizen of Tennessee, and those in charge of such records shall not refuse such right of inspection to any citizen, unless provided by state law."

"Records" are defined in TCA § 10-7-301 as "all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, or other material, regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business of any governmental agency."

In summary, documents that come into possession of a governmental agency either by virtue of receipt of the documents by the agency, or creation of the documents by the agency, are public records that must be made available for public inspection unless they are exempt from the disclosure by state law. TCA § 10-7-505(d) says the law "shall be broadly construed so as to give the fullest possible public access to public records."

TCA § 10-7-504 lists several records and categories of records that are exempt from disclosure. In addition, this same provision lists cross-references to many statutes that exempt certain records from disclosure.

8.2 ECD Public Records Provision

Supplemental to the Tennessee Public Records Act, the Department of Economic and Community Development ("ECD") has adopted departmental open records provisions found at TCA § 4-3-730. Unless a specific exception applies, the information and documents maintained, received, or produced by ECD are open for inspection by the public, including proprietary information, state contracts, and related documentary materials.

Section 9 - Definitions

Cable Network: non-broadcast television programming that is transmitted to the viewer via cable, satellite, wireless, or internet protocol for a subscription, per program or per channel fee.

ECD Grants & Loans Committee: committee made up of ECD senior management that oversees the allocation of ECD program funds.

Effective Date: date of the finalization of the Grant Contract and the date at which Qualified Tennessee Expenditures are permitted to begin being incurred by the Production Company.

Estimated Tennessee Spend: the amount of Qualified Tennessee Expenditures a Production anticipates incurring in Tennessee through the Qualification Period.

Feature Film: means a production of a film intended for commercial distribution to a motion picture theater, directly to the home video market, or via the Internet that has a running time of at least seventy-five (75) minutes in length.

Grant Contract: TN prescribed contract entered into between the Production Company and ECD setting the terms and periods of performance as related to the Production Incentive.

Eighteen (18) Month Submission Date: Eighteen (18) months after the Effective Date, the date by which the Agreed Upon Procedures must be submitted to TFEMC.

National Network: a broadcaster which carries television programs through a series of local affiliates across the country.

Production: A Feature Film, Television Episode, Television Pilot or Television Commercial with National advertising message.

Qualified Tennessee Expenditures: goods or services used in Tennessee in connection with a Qualified Production AND purchased from a Tennessee Vendor or paid to a Tennessee Resident for production occurring in Tennessee incurred within the Qualification Period.

Qualification Period: from the Effective Date through the Twelve (12) Month Completion Date.

Qualified Production: is a Production filmed in Tennessee that has met all criteria of the program and been approved by ECD Grants & Loans Committee.

One Hundred Twenty (120) Day Start Date: One hundred twenty (120) days after the Effective Date, the date by which Principal Photography must begin.

Pre-Production: the process of preparation for actual physical production which begins after a qualified Production Company has received a firm agreement of financial commitment. Customarily includes but is not limited to activities such as location scouting, hiring of key crew members, and establishment of a dedicated production office.

Post Production: the final activities in a qualified motion picture's production, including but not limited to editing, foley recording, ADR, sound editing, negative cutting, color correction and sound mixing.

Principal Photography: means the phase of production during which the motion picture is actually shot, as distinguished from preproduction and post-production. Principal Photography days refers to the number of days shot by the principal unit with the director and lead actors usually present.

Production Company: any corporation, partnership, limited partnership, limited liability company or other entity or individual that is principally engaged in producing a Production and that controls the Production during pre-production, production and post-production. The applicant is the qualified taxpayer that upon final approval will receive the grant.

Television Commercial with National Advertising Message: a span of television programming produced and paid for by an organization, which conveys a message, typically to market a product or service on a national level.

Television Episode: a distinctive and separate twenty-two (22) to sixty (60) minute program which is part of a television series.

Television Series: a segment of content intended for broadcast on television. It may be a one-time production or part of a periodically recurring series.

Television Pilot: the initial episode produced for a proposed television series.

Tennessee Connection: Tennessee must be associated with one of these elements of the Production: script content, principal actor, producer/executive producer, Production Company, music/musician, writer, distribution or the Production must otherwise be determined by the TFEMC to provide a compelling benefit to the state of Tennessee.

Tennessee Resident: an individual with a permanent Tennessee Driver's License or Identification (ID Only) license.

Tennessee Vendor: For procurement purposes, TCA 12-4-12 (c) (2) says that a Tennessee vendor/bidder means a business that "is incorporated in this state; that has its principal place of business in this state; or that has an established physical presence in this state."

Twelve (12) Month Qualification Period: Twelve (12) months after the Effective Date, the date by which all Qualified Tennessee Expenditures must be incurred.

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Appendix A- Statute

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*** Current through the 2012 Regular Session ***

Title 4 State Government
Chapter 3 Creation, Organization and Powers of Administrative Departments and Divisions
Part 49 Visual Content Act of 2006

Tenn. Code Ann. § 4-3-4901 (2012)

4-3-4901. Short title -- Purpose.

This part shall be known and may be cited as the "Visual Content Act of 2006," and is enacted for the purpose of providing incentive grants that encourage the production of films, movies, television pilots or programs in the state of Tennessee.

4-3-4902. Part definitions.

As used in this part, unless the context otherwise requires:

(1) "Commission" means the Tennessee film, entertainment and music commission;

(2) "Commissioner" means the commissioner of economic and community development;

(3) "Department" means the department of economic and community development;

(4) "Executive director" means the director of the commission;

(5) "Film/TV fund" means the Tennessee film/television incentive fund;

(6) "Minority participant" means an individual who is impeded from normal entry into the economic mainstream because of race, religion, sex or national origin;

(7) "Production activities" means activities related to the production of entertainment properties;

(8) "Production company" means any person or entity that produces a film, movie, pilot or show in Tennessee;

(9) "State-certified production" means a film, movie, pilot or show that meets the criteria established by the commission to receive an incentive grant; and

(10) "Tennessee motion picture and television incentive grant" or "incentive grant" means a grant for a state-certified production that is approved by the department to receive a grant based upon the recommendation of the executive director.

4-3-4903. Tennessee film/TV incentive fund.

(a) The film/TV fund is established as a separate account in the general fund and shall be administered by the department.

(b) The film/TV fund is composed of:

(1) Funds appropriated by the general assembly for the film/TV fund; and

(2) Gifts, grants and other donations received by the department or the commission for the film/TV fund.

(c) (1) Moneys in the film/TV fund shall be appropriated and expended to provide incentive grants to production companies for use in producing state-certified productions and shall be used by the department to defray the expenses of administering this section; provided, however, that the expenses shall not exceed five percent (5%) of the total amount appropriated for the program in any fiscal year.

(2) The amount of each grant awarded pursuant to this section shall not exceed twenty-five percent (25%) of the total expenses incurred by a production company for a project; except, however, the department may award grants in excess of this amount if deemed appropriate by the department. It is the legislative intent that funding be appropriated each year in the general appropriations act for awarding grants. It is further the legislative intent that the department strive to award the maximum amount of incentive grants authorized by this section due to the amendments to § 67-4-2109(j) provided in chapter 1026, § 10 of the Public Acts of 2012, which added 67-4-2109(j)(6).

(d) Moneys in the film/TV fund shall be invested by the state treasurer pursuant to title 9, chapter 4, part 6, for the sole benefit of the film/TV fund, and interest accruing on investments and deposits of the fund shall be returned to the fund and remain part of the film/TV fund.

(e) Subject to the availability of revenue at the end of each fiscal year, the commissioner of finance and administration is authorized to carry forward any amounts remaining in the film/TV fund or transfer any part of the fund to the revenue fluctuation reserve.

(f) It is the intent of the general assembly that, to the extent practicable, moneys from the film/TV fund shall be used to provide incentive grants to production projects in all areas of the state.

(g) It is the intent of the general assembly that the commission shall actively encourage independent producers and minority participants to apply for incentive grants.

(h) Incentive grants from the film/TV fund shall not exceed the amount available in the fund at any time. No less frequently than biannually, the executive director shall report to the commissioner of finance and administration on the status of the incentive grant

program, such report to include at least the following information: the amount of each grant awarded since the previous report and the name of the production company receiving the benefit of each grant, the total amount of outstanding grants and the total unobligated amount in the film/TV fund. A copy of each report shall be transmitted to the speaker of the house of representatives and the speaker of the senate, the chairs of the finance, ways and means committees of the senate and the house of representatives, the state treasurer, the comptroller of the treasury and the office of legislative budget analysis.

(i) The department shall promulgate rules and regulations as the department may deem necessary to effectuate the purposes of this part. All rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in chapter 5 of this title.

Appendix B- Chart of Accounts outlining Qualified Expenditures

Tennessee Film, Entertainment, and Music Commission			
Schedule of Qualified Expenditures			
Coding	**Category**	**Eligible**	**Comments**
101-00	**STORY & RIGHTS**		
101-02	Story Rights Option, Story Rights Purchase, Agents and Attorney's Fees	NO	
103-00	**WRITING**		
103-02	Writers	YES	Tennessee Resident labor only
103-04	Story Editor	YES	
103-06	Research	YES	
103-08	Secretaries	YES	
103-10	Script Printing	YES	
103-12	Materials & Supplies	YES	
103-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
105-00	**PRODUCER & STAFF**		
105-02	Executive Producer	YES	Tennessee Resident labor only
105-04	Line Producer	YES	
105-05	Technical Advisor	YES	
105-06	Producers	YES	
105-07	Director's Secretary	YES	
105-08	Associate Producers	YES	
105-10	Secretaries	YES	
105-12	Assistants	YES	
105-14	Purchases and supplies	YES	
105-16	Wrap Party	NO	
105-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
107-00	**DIRECTOR & STAFF**		
107-02	Director	YES	Tennessee Resident labor only
107-04	Dialogue Coach	YES	
107-06	Secretaries	YES	
107-08	Choreographers	YES	
107-10	Assistants	YES	
107-12	Towncar Allowance	YES	For travel to, from and within Tennessee if purchased from a Tennessee Vendor
107-14	Purchases and Supplies	YES	
107-16	Director Assistant Computer	YES	
107/18	Director Office Rentals	YES	
107-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)

Coding	Category	Eligible	Comments
109-00	**TALENT**		
109-02	Principal Cast	YES	Tennessee Resident labor only
109-04	Supporting Cast	YES	
109-06	Day Player	YES	
109-08	Weekly Player	YES	
109-10	Talent Staff	YES	
109-12	Talent Expenses	YES	Only for accountable expenses with proof the expense being incurred in Tennessee and purchased from a Tennessee vendor
109-14	Stunt Coordinator	YES	Tennessee Resident labor only
109-16	Stunts	YES	
109-18	Looping and Expenses	YES	
109-20	Casting Director	YES	Tennessee Resident labor only
109-22	Casting Assistants	YES	
109-24	Casting Office Expenses	YES	
109-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
111-00	**TRAVEL & LIVING Above & Below the Line**		
111-02	Travel	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
111-04	Living	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.
112-00	**FRINGE BENEFITS**		
112-02	Pension Plan & Health and Welfare	YES	For Tennessee Resident labor only
112-04	Employer Taxes	NO	
112-06	Local Hire Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
112-08	Payroll Handling	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.

Coding	Category	Eligible	Comments
PRODUCTION			
113-00	**PRODUCTION STAFF**		
113-02	Production Manager	YES	Tennessee Resident labor only
113-04	Production Supervisor	YES	
113-06	First Assistant Director	YES	
113-08	Second AD's and Trainees	YES	
113-10	Script Supervisor	YES	
113-12	Location Manager	YES	
113-14	Asst Location Managers & Scouts	YES	
113-16	Tech Advisors	YES	
113-18	Production Coordinators	YES	
113-20	Asst Production Coordinators	YES	
113-22	Production Secretaries	YES	
113-24	Production Accountants	YES	
113-26	Assistant Accountants	YES	
113-28	Payroll	YES	
113-30	Construction Estimator	YES	
113-32	Post Accounting	YES	
113-34	Production Assistants	YES	
113-36	Pre-Production Breakdown	YES	
113-38	Board & Budget	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State
113-40	Script Timing	YES	Tennessee Resident labor only
113-42	POC and Assistants	YES	Tennessee Resident labor only
113-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
115-00	**EXTRA TALENT**		
115-02	Stand ins	YES	Tennessee Resident labor only
115-04	Casting Commission	YES	
115-06	Extras-Studio	YES	
115-08	Non Union	YES	
115-10	Extras-Location	YES	
115-12	Non Union -	YES	
115-14	Sideline Musicians	YES	
115-16	Fittings	YES	
115-18	Wardrobe	YES	
115-20	Atmosphere Cars	YES	
115-22	Casting Svc Fee and Fringes	YES	For casting services performed within Tennessee by a Tennessee Vendor and fringes related to Tennessee Resident labor only
115-24	Polaroid	YES	
115-26	Telephone/Office	YES	
115-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)

Coding	Category	Eligible	Comments
117-00	**CAMERA**		
117-02	Director of Photography	YES	Tennessee Resident labor only
117-04	Operator	YES	
117-06	Asst Cameramen & Operators	YES	
117-08	Stead icam Operator	YES	
117-10	Still Photographer	YES	
117-12	Loader	YES	
117-14	Loss and Damage	YES	
117-16	Purchases & Supplies	YES	
117-18	Camera Rentals	YES	
117-20	Box and Still Camera Rentals	YES	If rented from a Tennessee Resident or a Tennessee Vendor
117-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
119-00	**ART DEPARTMENT**		
119-02	Production Designer	YES	Tennessee Resident labor only
119-04	Art Director and Assistants	YES	
119-06	Set Designers	YES	
119-08	Illustrators	YES	
119-10	Local Hire	YES	
119-12	Storyboard Artist	YES	
119-14	Prod. Assistants	YES	
119-16	Blue Printing	YES	
119-18	Stock Units / Backings	YES	
119-20	Purchases & Supplies	YES	
119-22	Processing	YES	
119-24	Research Materials	YES	
119-26	Rentals	YES	
119-28	Equipment	YES	For assets with a cost over $5,000, the amount is limited to the net cost of the asset purchases less sales proceeds to 50% of the purchases price, whichever is less (unless the asset is destroyed in production)
119-30	Car and Box Rentals	YES	If rented from a Tennessee Resident or a Tennessee Vendor
119-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
121-00	**SET CONSTRUCTION**		
121-02	Construction Coordinators	YES	Tennessee Resident labor only
121-04	Construction Foremen	YES	
121-06	Stage Set Construction Labor	YES	
121-08	Location Set Construction Labor	YES	
121-10	Stage Set Construction Materials Purchase	YES	
121-12	Location Set Construction Materials Purchase	YES	
121-14	Stage Set Striking Labor	YES	Tennessee Resident labor only
121-16	Stage Set Striking Materials Purchase and Rentals	YES	
121-18	Location Set Striking Labor	YES	Tennessee Resident labor only
121-20	Location Set Striking Materials Purchase	YES	

Coding	Category	Eligible	Comments
121-22	Set Restoration	YES	
121-24	Fold and Hold Sets	YES	
121-26	Greens Purchase	YES	
121-28	Backings Rental/Purchase	YES	
121-30	Trash Removal	YES	
121-32	Scissor Lifts/Forklifts	YES	
121-34	Car and Box Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
121-36	Construction Expendables	YES	
121-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
123-00	**SPECIAL EFFECTS**		
123-02	SFX Coordinator	YES	Tennessee Resident labor only
123-04	SFX Assistants	YES	
123-06	Rig and Strike	YES	
123-08	Loss and Damage	YES	
123-10	Manufacturing Labor & Materials	YES	Labor: Tennessee Resident labor only. Materials: If purchased from a Tennessee Vendor
123-12	Purchases	YES	
123-14	Equipment Rentals	YES	
123-16	Box Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
123-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
125-00	**SET OPERATIONS**		
125-02	Key Grip	YES	Tennessee Resident labor only
125-04	Grips -- all	YES	
125-06	Craft Service Persons	YES	
125-08	Greens Person- Company	YES	
125-10	Stand By Carpenters	YES	
125-12	Stand By Painters	YES	
125-14	Loss and Damage	YES	
125-16	Set Watch/Fireman	YES	Tennessee Resident labor only
125-18	First Aid & Expenses	YES	
125-20	Medics	YES	
125-22	Other Crafts	YES	
125-24	Heating/Air Conditioning	YES	
125-26	Purchases	YES	
125-28	Grip Expendables	YES	
125-30	Lumber	YES	
125-32	Craft Service Purchases	YES	
125-34	Rentals	YES	
125-36	Grip Package	YES	
125-38	Truck Package	YES	
125-40	Additional Equipment	YES	For assets with a cost over $5,000, the amount is limited to the net cost of the asset purchases less sales proceeds to 50% of the purchases price, whichever is less (unless the asset is destroyed in production)

Coding	Category	Eligible	Comments
125-42	Helicopter Rental	YES	
125-44	Box Rentals	YES	If rented from a Tennessee Resident or a Tennessee Vendor
125-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
127-00	**ELECTRICAL**		
127-02	Chief Lighting Technician	YES	Tennessee Resident labor only
127-04	Lighting Assistant and Technicians	YES	
127-06	Rig and Strike	YES	
127-08	Generator Operator	YES	
127-10	Generator Assistants	YES	
127-12	Special Equipment Operator	YES	
127-14	Electric Hookup	YES	
127-16	Current	YES	
127-18	Loss and Damage	YES	
127-20	Purchases-- Expendables, Gels, Etc.	YES	
127-22	Globes and Carbons	YES	
127-24	Rentals	YES	
127-26	Electric Package	YES	
127-28	Stage Package	YES	
127-30	Rigging Package	YES	
127-32	Add'l Equipment	YES	For assets with a cost over $5,000, the amount is limited to the net cost of the asset purchases less sales proceeds to 50% of the purchases price, whichever is less (unless the asset is destroyed in production)
127-34	Specialty Lighting	YES	
127-36	Generator Rentals	YES	
127-38	Box Rentals	YES	If rented from a Tennessee Resident or a Tennessee Vendor
127-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
129-00	**SET DRESSING**		
129-02	Set Decorator	YES	Tennessee Resident labor only
129-04	Leadman/Buyer	YES	
129-05	Kit Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
129-06	Set Dressing Labor	YES	Tennessee Resident labor only
129-08	Drapery/Carpet	YES	
129-10	Loss, Damage	YES	
129-12	Manufacturing/Materials	YES	
129-14	Set Dress Purchase & Materials	YES	
129-16	Fixtures	YES	
129-18	Rentals	YES	
129-20	Rentals - All Sets	YES	
129-22	Car and Box Rentals	YES	
129-24	Research	YES	
129-26	Film Processing	YES	
129-28	Expendables	YES	
129-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
129-100	Cleaning	YES	
131-00	**ACTION PROPS**		
131-02	Prop Master	YES	Tennessee Resident labor only
131-04	Assistant Prop Master & Labor	YES	
131-05	Kit Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
131-06	Loss and Damage	YES	

Coding	Category	Eligible	Comments
131-08	Manufacturing Labor/Materials	YES	
131-10	Purchases & Rentals	YES	
131-12	Car and Box Rentals	YES	
131-15	Film Processing	YES	
131-16	Research	YES	
131-18	Expendables	YES	
131-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
133-00	**PICTURE VEHICLES/ANIMALS**		
133-02	Picture Car Coordinator	YES	Tennessee Resident labor only
133-04	Picture Car Drivers	YES	
133-06	Picture Car Rentals	YES	
133-08	Picture Car Expense	YES	
133-10	Marine Expense	YES	
133-12	Aircraft/Helicopter Expense	YES	
133-14	Pic Vehicle Manufacturing	YES	
133-16	Mechanic	YES	Tennessee Resident labor only
133-18	Animals	YES	
133-20	Loss & Damage	YES	
133-22	Wranglers, Handlers	YES	Tennessee Resident labor only
133-24	Feeding and Stabling	YES	
133-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
135-00	**SPECIAL PHOTOGRAPHY**		
135-02	Process Operating	YES	
135-04	Blue Screen	YES	
135-06	Matte Shots Contract	YES	
135-08	Matte Crew Expenses	YES	
135-10	Animation	YES	
135-12	Miniature Contact	YES	
135-14	Miniature Expenses	YES	
135-16	Computer Graphics	YES	
135-18	Equipment Rental	YES	
135-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)

Coding	Category	Eligible	Comments
139-00	**WARDROBE**		
139-02	Costume Designer	YES	Tennessee Resident labor only
139-04	Designer Staff	YES	
139-06	Wardrobe Labor	YES	
139-08	Costumers & Assts.	YES	
139-10	Cleaning and Dying	YES	
139-11	Kit Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
139-12	Loss and Damage	YES	
139-14	Alterations & Repairs	YES	
139-16	Allowance	YES	
139-18	Purchases & Rentals	YES	
139-20	Car and Box Rentals	YES	
139-22	Research	YES	
139-24	Expendables	YES	
139-26	Washing Machine & Dryer	YES	
139-28	Shop Set Up	YES	
139-30	Polaroid	YES	
139-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
141-00	**MAKEUP & HAIRDRESSING**		
141-02	Makeup Artist	YES	Tennessee Resident labor only
141-04	Key Makeup	YES	
141-06	Additional Makeup	YES	
141-08	Additional Hairstylists	YES	
141-10	Makeup & Hairdressing Supplies	YES	
141-12	Chair Rental	YES	
141-14	Wigs Purchase/Rentals	YES	
141-16	Appliances	YES	
141-18	Box Rentals	YES	If rented from a Tennessee Resident or a Tennessee Vendor
141-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
143-00	**PRODUCTION SOUND**		
143-02	Mixer	YES	Tennessee Resident labor only
143-04	Boom Operator	YES	
143-06	Additional Labor Sound	YES	
143-08	Loss and Damage	YES	
143-10	Purchases	YES	
143-12	Rentals	YES	
143-14	Sound Package	YES	
143-16	Add'l Equipment	YES	
143-18	Walkie Talkies	YES	
143-20	Beepers	YES	
143-22	Box Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
143-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)

Coding	Category	Eligible	Comments
145-00	**LOCATIONS**		
145-02	Site Fees and Rentals	YES	
145-04	Police/Firemen/Watchmen	YES	Tennessee Resident labor only
145-06	Set Security	YES	
145-08	Scouting	YES	
145-10	Travel Fares	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
145-12	Airfare Rates	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
145-14	Hotels	YES	
145-16	Per Diems	YES	Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-residents related to services performed in Tennessee
145-18	Meals	YES	
145-20	Extras Catering	YES	
145-22	Office Production	YES	
145-24	Catering Assistants	YES	Tennessee Resident labor only
145-28	Film Shipping	YES	
145-30	Shipping Negative	YES	
145-32	Baggage/Equipment Shipping	YES	
145-34	Mileage and Parking	YES	
145-36	Location Restoration	YES	
145-38	Purchases	YES	
145-40	Office Supplies & Equipment	YES	The amount is limited to the net cost of the asset purchases less sales proceeds to 20% of the purchased price, whichever is less (unless the asset is destroyed in production).
145-42	Rentals	YES	
145-44	Office Space	YES	
145-46	Utilities	YES	
145-48	Cleaning	YES	
145-50	Art Dept Office	YES	
145-52	Set Dec/Props Warehouse	YES	
145-54	Construction Mill	YES	
145-56	Telephone/Postage	YES	
145-58	Install Phone Systems	YES	
145-60	Phone Charges	YES	
145-62	Cell Charges	YES	
145-64	Office Equipment Rental	YES	
145-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)

Coding	Category	Eligible	Comments
147-00	**VIDEO TAPE**		
147-02	Supervision	YES	Tennessee Resident labor only
147-04	Technical Director	YES	
147-06	Video Operator	YES	
147-08	Video Recordist	YES	
147-10	Additional labor	YES	
147-12	Purchases	YES	
147-14	Supplies	YES	
147-16	Rentals	YES	
147-18	Video Assist Package	YES	
147-22	Video Transfers	YES	
147-24	Video Editing	YES	
147-26	Video Contact	YES	
147-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
149-00	**TRANSPORTATION**		
149-02	Transportation Coordinator	YES	Tennessee Resident labor only
149-04	Captains	YES	Tennessee Resident labor only
149-06	Studio Drivers	YES	Tennessee Resident labor only
149-08	Location Drivers	YES	Tennessee Resident labor only
149-10	Loss and Damage	YES	
149-12	Repairs/Maintenance	YES	
149-14	Box Rental	YES	If rented from a Tennessee Resident or a Tennessee Vendor
149-16	Car Wash	YES	
149-18	Pickup Service	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
149-20	Taxis	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
149-22	Car Pickups	YES	
149-24	Gas and Oil	YES	
149-26	Genny Gas & Oil	YES	
149-28	Office Production	YES	
149-30	Tolls and Road Permits	YES	
149-32	Purchases	YES	
149-34	Honey Wagon Supplies	YES	
149-36	Studio Vehicles	YES	
149-38	Production Trucks & Vehicles	YES	
149-40	Location Vehicles	YES	
149-42	Cranes	YES	
149-44	Insert Car	YES	
149-46	Camera Cars	YES	
149-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)

Coding	Category	Eligible	Comments
151-00	**PRODUCTION FILM & LAB**		
151-02	Raw Stock	YES	
151-04	Steadicam	YES	
151-06	Negative Develop	YES	
151-08	Develop (90%)	YES	
151-10	Positive Printing	YES	
151-12	1/4" Sound Tape	YES	
151-14	Sound Transfers	YES	
151-16	Video Cassette Dailies	YES	
151-18	Telecine Transfers	YES	
151-20	Polaroid - All Departments	YES	
153-00	**TESTS**		
153-02	Talent	YES	Tennessee Resident labor only
153-04	Labor	YES	
153-06	Purchases	YES	
153-08	Rentals	YES	
153-10	Film	YES	
153-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
155-00	**FACILITY EXPENSES**		
155-02	Studio Telephone	YES	
155-04	Studio Phone Charges	YES	
155-06	Post Phone Charges	YES	
155-08	Postage and Messengers	YES	
155-10	Studio Shipping/Messengers	YES	
155-12	Outside Facility	YES	
155-14	Stage Use / Licensing Agreement	YES	
155-16	Stage Includes Power/Security	YES	
155-18	Prep/Strike	YES	
155-20	Shoot	YES	
155-22	Power	YES	
155-24	Backlot Rental	YES	
155-26	Dressing Room Rental	YES	
155-28	Parking Space Rental	YES	
155-30	Prep - Parking	YES	
155-32	Shoot - Parking	YES	
155-34	Other Studio Facilities	YES	
155-36	Studio Personnel Charges	YES	
155-38	Dumpsters, Cleaning	YES	
156-00	**AUDIENCE RELATIONS**		
156-02	Audience	YES	
156-04	Talent	YES	
156-06	Bleachers/Drapes	YES	
156-08	Food/Drink	YES	Alcohol is explicitly excluded

Coding	Category	Eligible	Comments
156-10	Transport	YES	
156-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
157-00	**SECOND UNIT**		
157-02	Second Unit Director	YES	Tennessee Resident labor only
157-04	Cast Talent	YES	
157-06	Production Staff	YES	
157-08	Camera	YES	
157-10	Art Department	YES	
157-12	Construction	YES	
157-14	Special Effects	YES	
157-16	Set Operations	YES	
157-18	Electrical	YES	
157-20	Set Dressing	YES	
157-22	Props	YES	
157-24	Pic Vehicles and Animals	YES	
157-26	Extras	YES	Tennessee Resident labor only
157-28	Wardrobe	YES	
157-30	Makeup and Hair	YES	
157-32	Sound	YES	
157-34	Locations	YES	
157-36	Video Tape	YES	
157-38	Transportation	YES	
157-40	Raw Stock/Develop	YES	
157-42	Post Prod Labor	YES	Tennessee Resident labor only
157-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
159-00	**SPECIAL UNIT**		
159-02	Talent	YES	Tennessee Resident labor only
159-04	Staff	YES	
159-06	Labor	YES	
159-08	Transportation	YES	
159-10	Contract	YES	
159-12	Locations	YES	
159-14	Raw Stock/Develop	YES	
159-16	Purchases	YES	
159-18	Rentals	YES	
159-20	Miscellaneous Expense	YES	
159-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
163-00	**FRINGES-SHOOTING PERIOD**		
163-02	Pension Plan & Health and Welfare	YES	For Tennessee Resident labor only
163-04	Employer Taxes	NO	

Coding	Category	Eligible	Comments
163-06	Local Hire Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
163-08	Payroll Handling	YES	If related expenses are incurred in Tennessee and paid to a Tennessee Vendor
163-10	Retroactive Pay	YES	For Tennessee Resident labor only
163-11	Accrued Holiday & Vacation	YES	For Tennessee Resident labor only
163-12	FICA	YES	For Tennessee Resident labor only and excludes the employers portion
163-13	Workmen's Comp	YES	For Tennessee Resident labor only
163-14	Union Dues	YES	For Tennessee Resident labor only
163-15	Medicare & Medicaid	YES	For Tennessee Resident labor only and excludes the employers portion
POST PRODUCTION			
165-00	**EDITING & PROJECTION**		
165-08	Film Editor	YES	Tennessee Resident labor only
165-10	Assistant Film Editors	YES	
165-12	Conforming	YES	
165-14	Post Prod Supervisor	YES	Tennessee Resident labor only
165-16	Projectionist	YES	
165-18	Coding and Misc Editorial	YES	
165-20	Coding Equipment	YES	The amount is limited to the net cost of the asset purchases less sales proceeds to 20% of the purchases price, whichever is less (unless the asset is destroyed in production).
165-22	Sound Effects Editing	YES	
165-24	ADR Editing	YES	
165-26	Production Assistant	YES	Tennessee Resident labor only
165-28	Negative Cutting	YES	
165-30	Music Editors	YES	Tennessee Resident labor only
165-32	Post Ship	YES	
165-33	Local Messenger	YES	Tennessee Resident labor only
165-34	Travel	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
	Living	YES	Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-residents related to services performed in Tennessee
165-35	Meals	YES	Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-residents related to services performed in Tennessee
165-36	Continuity Expenses	YES	
165-38	Purchases	YES	
165-40	Expendables	YES	
165-42	Rentals	YES	
165-44	Editorial Room Rentals	YES	
165-46	Editors' KEM/Equipment	YES	The amount is limited to the net cost of the asset purchases less sales proceeds to 20% of the purchases price, whichever is less (unless the asset is destroyed in production).
165-48	Bins, Sync, Racks	YES	
165-50	Lightworks System	YES	
165-52	Equip, Deliver/Pickup	YES	
165-54	Sound Editors' Room	YES	
165-56	Music Editors' Room	YES	
165-58	Other Equip.	YES	
165-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
167-00	**MUSIC**		
167-02	Clearances	YES	Purchase must be made from a Tennessee Vendor
167-04	Writers	YES	Tennessee Resident labor only
167-06	Composers	YES	Tennessee Resident labor only
167-08	Supervisor	YES	Tennessee Resident labor only
167-10	Arrangers	YES	Tennessee Resident labor only

Coding	Category	Eligible	Comments
167-12	Copyists	YES	Tennessee Resident labor only
167-14	Pre-Score Musicians	YES	Tennessee Resident labor only
167-16	Underscore Musicians	YES	Tennessee Resident labor only
167-18	Star Vocalist	YES	Tennessee Resident labor only
167-20	Vocalists	YES	Tennessee Resident labor only
167-22	Music Editing	YES	Tennessee Resident labor only
167-24	Travel Expenses	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
	Living Expenses	YES	Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-residents related to services performed in Tennessee
167-25	Meals	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State. Alcohol and tobacco are specifically excluded.
167-26	Purchases	YES	
167-28	Cassettes	YES	
167-30	Rental and Cartage	YES	
167-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
169-00	**SOUND (POST PRODUCTION)**		
169-02	Dubbing Stage	YES	
169-04	Temp Dub	YES	
169-06	Pre Dub	YES	
169-08	Final Dub	YES	
169-10	Post Preview/Session	YES	
169-12	Foreign Mu/Fx	YES	
169-14	DTS	YES	
169-18	ADR Stage	YES	
169-20	Foley Efx Recording	YES	
169-22	Walkers	YES	
169-24	Video Transfer	YES	
169-26	Tape Transfer	YES	
169-28	Dubbing	YES	
169-30	Travel	YES	Travel to/from/within the state of Tennessee, purchased through a Tennessee based vendor, company, or person subject to taxation in this State. Excludes private/charter flights.
169-31	Living Expenses	YES	Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-residents related to services performed in Tennessee
169-32	Purchases	YES	
169-34	Equipment Rental	YES	
169-36	Dolby Cards	YES	
169-38	DTS Fee	YES	
169-40	License Fee	NO	
169-42	Dolby License	NO	
169-44	DTS License	NO	
169-46	SDDS License	NO	
169-48	Close Captioning	NO	
169-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
171 -00	**FILM & STOCK SHOTS**		
171-02	Film Leader	YES	Tennessee Resident labor only
171-04	Stock Shot Purchase	YES	
171-06	Stock Shots Labor	YES	Tennessee Resident labor only
171-08	Stock Shots Film & Process	YES	
171-10	Reprints	YES	
171-12	Lab Special Handling	YES	

Coding	Category	Eligible	Comments
171-14	Video Cassettes/Tape	YES	
171-16	Reversal Dupes	YES	
171-18	Tape Purchase	YES	
171-20	Optical Sound Track	YES	
171-22	Reference Print	YES	
171-24	Protection Dupes	YES	
171-26	Composite Print	YES	
171-28	Laboratory Overtime	YES	
171-30	Negative Splicing	YES	
171-32	Answer Prints	YES	
171-34	Check Print	YES	
171-36	Interpositive	YES	
171-38	Protection Master-YCM	YES	
171-40	Master Positive/YCM	YES	
173-00	**VISUAL EFFECTS**		
173-02	Visual Effects Supervisor	YES	Tennessee Resident labor only
173-04	Miniatures	YES	
173-06	Wire Removal	YES	
173-08	Mattes	YES	
173-10	Purchases	YES	
173-12	Misc Expenses	YES	
173-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
175-00	**TITLES, OPTICALS, INSERTS**		
175-02	Main & End Titles	YES	
175-04	Title Designer	YES	Tennessee Resident labor only
175-06	Optical Effects	YES	
175-08	Inserts	YES	
175-10	Trademarks and Rating	YES	
175-12	Optical Development	YES	
175-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
179-00	**FRINGES - POST PRODUCTION**		
179-02	Pension Plan & Health and Welfare	YES	For Tennessee Resident labor only
179-04	Employer Taxes	NO	
179-06	Local Hire Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
179-08	Payroll Handling	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.
179-10	Retroactive Pay	YES	For Tennessee Resident labor only
OTHER			
181-00	**INSURANCE**		
181-02	Cast Insurance	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
181-04	Negative Insurance	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
181-06	Deductibles	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
181-08	Marine and Aircraft	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
181-10	Miscellaneous such as errors and Omissions	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.

Coding	Category	Eligible	Comments
181-11	Deductibles	YES	
183-00	**UNIT PUBLICITY**		
183-02	Unit Publicist	YES	Tennessee Resident labor only
183-04	Publicity Contract	YES	
183-06	Outside Photographer	YES	Tennessee Resident labor only
183-08	Stills Film and Processing for Shoot	YES	
156-99	Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
185-00	**PRODUCT PLACEMENT**		
185-02	Product Placement Credits	YES	
187-00	**GENERAL EXPENSES**		
187-02	MPAA Seal	NO	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.
187-04	Work Order Transfers	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State
187-06	Legal Fees	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.
187-08	Bank/Exchange Costs	NO	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State
187-09	Certified Public Accountant	NO	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.
187-10	Professional Fees	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State
187-14	Outside Bank Interest	NO	
187-16	Preview Expenses	NO	
187-18	Previews	NO	
187-20	Office Purchases	YES	
187-22	Computers and Software	YES	Limited to the net cost of the asset purchases less sales proceeds to 20% of the purchases price, whichever is less
187-24	Office Space Rental	YES	
187-26	Post Office & Shipping	YES	
187-28	Office Equipment Rental	YES	
187-30	Post Office Equipment	YES	The amount is limited to the net cost of the asset purchases less sales proceeds to 20% of the purchases price, whichever is less (unless the asset is destroyed in production).
187-32	Miscellaneous	YES	
187-34	OSHA Safety	YES	
187-36	Wrap Party	NO	
187-37	Accounting Fees	YES	

Coding	Category	Eligible	Comments
189-00	**FRINGES - OTHER**		
189-02	Pension Plan & Health and Welfare	YES	For Tennessee Resident labor only
189-04	Employer Taxes	NO	
189-06	Local Hire Fringes	YES	Fringes for Tennessee Resident for services performed in Tennessee, excluding the employer portion of any amounts paid to the government or governmental agency (e.g. FICA, FUTA, etc.)
189-08	Payroll Handling	YES	If related expenses are incurred in Tennessee and paid to a Tennessee based vendor, company, or person subject to taxation in this State.
189-09	Per Diem	YES	Housing (in-state), living allowances and per diems paid to Tennessee Residents and non-residents related to services performed in Tennessee
191-00	**INSURANCE CLAIMS**		
191-02	Cast	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
191-04	Negative	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
191-06	Extra Expenses	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
191-08	Marine, Aircraft Etc.	YES	If purchased through a Tennessee based insurance agent and purchased specifically for production.
193-00	**COMPLETION BOND**	NO	
195-00	**CONTINGENCY**	NO	
197-00	**MARKETING AND ADVERTISING**	NO	

Appendix C- TFEMC Forms A-D

FORM A
REGISTRATION FOR CERTIFICATION OF CONDITIONAL ELIGIBILITY

Tennessee Film, Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
(615) 741-3456 Fax: (615) 741-5554 tn.film@tn.gov

Part 1: General Information

Name of Eligible Production Company (Applicant)	Name of Person Completing Application	Title
E-mail Address	Telephone Number	Fax
Company Address	Company City, State, Zip	Company Phone
Website	State where Incorporated or Organized	Federal Tax ID Number (FEIN)

Does the company carry liability insurance In the amount of $1M or higher? ☐ Yes (Include a copy of COI) ☐ No (Include a binder or quote from intended insurer)

Budget *(entire project)*	Total TN Expenditures *(paid to TN residents and vendors)*	Anticipated Incentive (based on 25% grant)
TN Wages Amount *(paid to TN residents)*	TN Vendor Spend Amount *(paid to TN vendors, excluding music)*	TN Music Amount *(licensing, recording, etc.)*
TN Pre-Production Spend	TN Production Spend	TN Post-Production Spend

Total Number of Episodes *(if applicable)*	Number of Episodes to be shot in TN *(if applicable)*
Total Number of Crew	Total Number of Cast
Number of TN Crew	Total Number of TN Cast

Type of Production

☐ Feature ☐ Television (scripted) ☐ Commercial

Policies:

(i) The script and resulting production must not be obscene in nature, as defined by TCA 39-17-901, or portray Tennessee or Tennesseans in a negative light. Project must have a Tennessee Connection. The content of the production must also not require that records be maintained pursuant to 18 U.S.C. Sec. 2257 with respect to any performer portrayed therein;

(ii) Live and recorded events, including news, sports, concerts and awards shows; webisodes; talk shows; variety shows; unscripted; documentaries; music videos; corporate marketing or training videos; projects consisting primarily of stock footage and/or interviews; trailers promoting theatrical films not filmed in TN; photo shoots or still photography; website development; and anything that is not original content recorded in TN, will NOT qualify to receive an incentive;

(iii) The applicant shall provide the Tennessee Film, Entertainment, & Music Commission ("TFEMC") with the information the TFEMC deems necessary to verify production expenditures, personnel expenditures and eligibility for an incentive;

(iv) Any expenses incurred before the date of effective date of the Grant Contract do not qualify as eligible expenditures, and thus cannot be used to calculate the incentive amount; and

(v.) The Department of Economic Community Development can reclaim the incentive amount awarded if a production has not met the responsibility of commencing work in Tennessee within the required limits set forth in Part 2 herein.

Part 2: Production Schedule

Principal photography must begin in TN within 120 days from the Effective Date of the Grant Contract, unless a written request is submitted by the applicant to the TFEMC to extend the period for commencement of work and good cause for a delay is shown. In addition, projects must complete production in TN within the Twelve (12) month Qualification Period and submit all required documents for audit within the Eighteen (18) Month Submission Date.

Date of expected commencement of work in TN	Date when principal photography will begin in TN
Date of expected completion of work in TN	Number of days estimated for production in TN, including pre and post production

Part 3: Additional Documentation to be Supplied by Applicant

a. Detailed preliminary budget
b. Written description of project, script & synopsis
c. List of creative elements, if known (i.e. principal cast director, line producer, location manager, etc)
d. Plans for distribution, including the names of any distributor(s) to the extent known
e. Description of the source(s) of financing (including any private placement memorandum)

Part 4: Key Persons

Please list the full name of each individual that is a director or officer of the applicant or that directly or indirectly holds an ownership interest greater than 20% in the applicant (each such person is hereby referred to as a "Key Person"). Each listed person must complete Annex I and return to the TFEMC with this Form A. Application will not be brought before the ECD Grants & Loans Committee until a completed Annex I has been returned for each key person.

Name	Affiliation with Applicant	Ownership Interest in Applicant

Please attach a separate sheet listing additional key persons, if necessary

Part 5: Financing Sources		
Please list each financing source the applicant intends to utilize to finance the Production. Supporting documentation (including bank statements, commitment letters, term sheets, etc.) to be included with submission.		
Financing sources		**Amount**
☐ *Committed* ☐ *Planned*	*Supporting documentation included:*	
☐ *Committed* ☐ *Planned*	*Supporting documentation included:*	
☐ *Committed* ☐ *Planned*	*Supporting documentation included:*	
☐ *Committed* ☐ *Planned*	*Supporting documentation included:*	
	Total:	

Signature : Date:

_____
Printed Name

I hereby certify that the information provided in this Form A and Annex I is true and correct, and I am aware that any applicant that obtains any incentive from the State of Tennessee by filing a knowingly false or fraudulent claim shall be liable to the State of Tennessee for reimbursement of all monies received. I acknowledge that the submission of this Form A does not in any way guarantee the receipt of any incentive funds.

SEND COMPLETED FORM A TO: Tennessee Film,
Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
Email: tn.film@tn.gov Fax: 615-741-5554

FORM A: ANNEX I
Due Diligence Questionnaire

Tennessee Film, Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
(615) 741-3456 Fax: (615) 741-5554 tn.film@tn.gov

Full Name (First, Middle, & Last)		Position and Title
Residence Address (Street/P.O. Box/City, State and Zip Code)		
Date of Birth	Telephone Number	Email Address

Check "Yes" or "No" for each of the following. Provide details on every "Yes" response on a separate sheet of paper.

YES	NO	
☐	☐	**Convictions:** Have you ever been convicted of, or entered a plea of no contest in, any criminal proceeding, or are you currently a defendant in any criminal proceeding, other than a minor traffic offense?
☐	☐	**Taxes:** Do you currently owe past due taxes to any government entity, or have you ever been served a complaint, lien, judgment, or other notice filed with any public body regarding the payment of any tax required under federal state or local law?
☐	☐	**Corporate Bankruptcy:** Do you currently have, or have you ever had, an ownership interest in any business, or have you served as an officer or director of any business, which has ever been declared bankrupt by a court, or been the subject of a voluntary or involuntary filing of any type of bankruptcy or insolvency proceeding?
☐	☐	**Litigation:** Do you presently, or have you ever been, a respondent/defendant in any civil or criminal litigation involving allegations of embezzlement, theft, forgery, bribery, falsification or destruction of records, dishonesty, deception, fraud, misrepresentation, civil conspiracy, breach of contract, unethical or unlawful business practices, false claims, securities law violations, or any other claim that may be relevant to determine business integrity?

Confirmation of Accuracy
To the best of my knowledge and belief, the information contained in this questionnaire is true and correct, as evidence by my signature below. I further certify that the business entity is in good standing under the laws of the jurisdiction (s) in which the entity is organized or authorized to conduct business.

Signature_____ Date_____

SEND COMPLETED ANNEX I TO: Tennessee Film,
Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
Email: tn.film@tn.gov Fax: 615-741-5554

FORM B
TENNESSEE DECLARATION OF RESIDENCY

Tennessee Film, Entertainment & Music Commission
312 Rosa L. Parks Avenue Nashville, TN 37243
(615) 741-3456 Fax: (615) 741-5554 tn.film@tn.gov

The purpose of this form is to verify information for the Tennessee residents hired as part of the cast/crew. To be considered an eligible expenditure, all production companies must have each Tennessee resident employed by the production complete this form AND attach a copy of proof of residency. All information MUST be clearly demonstrated.

PERSONAL INFORMATION

Name	Position on Project *(i.e. Grip, Driver, Extra, etc.)*	Title of Project
(For minors only) Parent or Guardian's Name	SS#	TN Driver's License # / ID # *(minors should list parent or guardian's license #)*

CONTACT INFORMATION

E-mail Address	Phone	Fax
Address	City, State, Zip	Phone

ADDITIONAL INFORMATION

Are you presently a resident of Tennessee?	☐ YES	☐ NO
Do you anticipate changing your residency status during the time that you are expected to work on the project?	☐ YES	☐ NO

Tennessee residents employed with this project must provide proof of residency in the form of a current, permanent Tennessee driver's license or State issued identification (ID Only). No other form of ID will be accepted. A minor would need to present their parent or guardian's proof of residency.

I declare under penalty of perjury that the above information is true, correct and complete.

Signature _____ Date _____

(FOR MINORS ONLY) Parent or Guardian's Signature _____ Date _____

FORM C INCENTIVE APPLICATION

Tennessee Film, Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
(615) 741-3456 Fax: (615) 741-5554 tn.film@tn.gov

PRODUCTION INFORMATION

Production Title	Type of Production *(i.e. Feature film, commercial, etc.)*	Name of Production Company
Executive Producer(s)	Producer(s)	Director

PRODUCTION COMPANY HEADQUARTERS INFORMATION *(payment will be issued to this company)*

Company Name	Contact Name	Contact Title
Contact E-mail Address	Contact Phone	Contact Fax
Company Address	Company City, State, Zip	Company Phone
Company Website	State where Incorporated or Registered	Federal Tax ID Number (FEIN)
Type of Entity (e.g. "C" or "S" Corporation, LLC, Partnership, Trust, etc.) *Please attach a copy of last annual report filed*		
Indicate if the production company is certified as minority-owned, women-owned, or service-disabled veteran owned: *(as defined in T.C.A. §12-3-801 through 808 and Public Chapter 1140 effective July 1, 2010)*		

PRODUCTION FINANCIAL INFORMATION

Total Budget *(entire project)*	Total TN Expenditures *(paid to TN residents & vendors)*	
Total TN Payroll *(paid to TN residents)*	Total TN Vendor Spend *(paid to TN vendors, excluding music)*	Total TN Music Amount *(paid to TN residents/vendors)*
Pre-Production Expenditures	Production Expenditures	Post-Production Expenditures
Number of Episodes Filmed in TN *(Television Series Only)*		

TENNESSEE CREW AND CAST INFORMATION

Total Crew	TN Crew	% TN Crew
Total Cast	TN Cast	% TN Cast
Average TN crew size (per day) for prep	Average TN crew size (per day) for shoot	

TENNESSEE PRODUCTION SCHEDULE *(Attach additional pages if necessary)*

PERIOD	TN START DATE	TN END DATE	NUMBER OF DAYS
Pre-Production			
Production			
Post-Production			

ADDITIONAL INFORMATION

Date of Last Qualified Expenditure Incurred in TN / /		Anticipated Release / Premiere Date / /	
The Production Will Premier in TN	☐ YES ☐ NO	Production has satisfied all financial obligations	☐ YES ☐ NO
Newspaper notice was posted at least once a week for 3 consecutive weeks in a local newspaper for each city filming took place			☐ YES ☐ NO

ATTACH THE FOLLOWING DOCUMENTS WITH YOUR APPLICATION

- ☐ Copy of your insurance policy for production, including agent, insurance company(s) and policy amounts
- ☐ Detailed, current plans for distribution, including name(s) of distributor(s) to the extent known
- ☐ Final Budget
- ☐ General ledger
- ☐ Total Payroll report (excluding/obscuring individual social security numbers)
- ☐ Certificate of Legal Existence from the Secretary of State
- ☐ Crew call sheets
- ☐ List of All Locations Used, both inside and outside of Tennessee – include address and contact information
- ☐ Declaration of Residency Forms - attach proof of residency and alphabetize by last name
- ☐ Final Crew list – include address and contact information
- ☐ Final Vendor list – include address and contact information
- ☐ Copy of Newspaper Notices or Invoice
- ☐ At least one copy of the production (Due upon completion)
- ☐ At least five production still photos in an electronic format with rights cleared for promotional use (Due upon completion)
- ☐ At least one poster for promotion of the project (Feature films only. Due upon completion)

I hereby certify that the information provided in this application is true and correct, and I am aware that any applicant that obtains incentives from the State of Tennessee by filing a knowingly false or fraudulent claim shall be liable to the State of Tennessee for reimbursement of all monies received. I understand that submission of an application does not in any way guarantee receipt of the incentive or that incentive funds will be available.

Signature	Date
Printed Name	Title

SEND COMPLETED APPLICATION TO: Tennessee
Film, Entertainment & Music Commission
312 Rosa L. Parks Avenue
Nashville, TN 37243
Email: tn.film@tn.gov Fax: 615-741-5554

FORM D
REQUEST FOR ADDITIONAL RESERVATION OF INCENTIVE FUNDS

Tennessee Film, Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
(615) 741-3456 Fax: (615) 741-5554 tn.film@tn.gov

Part 1: General Information		
Name of Eligible Production Company (Applicant)	Name of Person Completing Application	Title
E-mail Address	Telephone Number	Fax
Company Address	Company City, State, Zip	Company Phone
Website		Federal Tax ID Number (FEIN)

Part 2: Reason for change to estimated TN Expenditures

Part 3: Revised Budget & Additional Reservation of Funds

	Form A Request	*Revised Request*	*Additional Reservation*
Budget (entire project)			
Total TN Expenditures			
Anticipated Incentive (at 25%)	$ -	$ -	$ -
TN Wages:			
TN Vendor Spend:			
TN Music Spend:			
TN Pre-Production:			
TN Production Spend:			
TN Post-Production Spend:			

Part 4: Other Changes
Please list any other changes to the information provided in Form A " REGISTRATION FOR CERTIFICATION OF CONDITIONAL ELIGIBILITY":

Signature : Date:

_____

Printed Name

I hereby certify that the information provided in this Form D is true and correct, and I am aware that any applicant that obtains any incentive from the State of Tennessee by filing a knowingly false or fraudulent claim shall be liable to the State of Tennessee for reimbursement of all monies received. I acknowledge that the submission of this Form D does not in any way guarantee the receipt of any additional incentive funds.

SEND COMPLETED FORM A TO: Tennessee Film,
Entertainment & Music Commission
312 Rosa L. Parks Avenue, Nashville, TN 37243
Email: tn.film@tn.gov Fax: 615-741-5554

Appendix D - Tracking Tips and Data Requirements

DATA REQUIREMENTS

- The data must be in one Excel spreadsheet (not multiple tabs) or one Access database table (not multiple tables).
- The data cannot be submitted in any other format such as PDF, XML, delimited, CSV, PRN, reports, etc.
- The data must contain specific identifying information about the transaction that is sufficient to locate the source document (paper receipt) such as vendor/supplier name, employee name (if payroll related), week ending date (if payroll related) invoice date, invoice number/transaction number, general ledger account number, proof of payment (check number, envelope number, etc), description, transaction type, transaction date, transaction number, etc. This is not an exhaustive list, but rather an example of the detail needed on each transaction/line of data.
- The amount of the Qualified Tennessee Expenditures must be in one data column and have an amount on every line of the data for the transaction. The sum of this column must represent the total Tennessee spends for the time period represented. If the column is summed in Excel or Access and does not sum to the number represented at the bottom of the column, the data will be returned for correction.
- Every effort should be made to list the spend for each transaction and not multiple payments or advances toward a single transaction/spend.
- The data must have a clear cutoff for the claim and that cutoff must be identified to the Tennessee Film, Entertainment & Music Commission. For example, the claim could be for all Tennessee expenditures between February 2, 20XX and October 13, 20XX. Therefore, if a subsequent claim is filed, all Tennessee expenditures submitted to the Tennessee Film, Entertainment & Music Commission would be for expenditures after October 13, 20XX. It is imperative that this is clear so that duplicate expenditures are not presented in multiple claims.

Required Data Elements

Field Name	*Explanation*
General Ledger Account	
Vendor Name	
Invoice Number	
Invoice Date	
Description	Make sure enough information is present to differentiate from another line within the TN spend data
Employee Name	Must include employee name for payroll transactions
Week Ending Date	This will show the payroll week
Check Number	You must have check number as proof of payment unless Petty Cash
Check Date	
Petty Cash Envelope Number	
Transaction Type	This should be Payroll, AP or Petty Cash and not Journal Entries
Transaction Number	If your computer system issues a transaction number to all entries, please provide that information.
Transaction Date	If you use a transaction date or entry date as the cutoff date , you will need to provide this data field
Amount of TN spend	Must be the amount claimed for the refund/incentive – (Include the employee gross pay if this is a payment to an employee or a payroll transaction)

You will have to indicate the cutoff date for each data set provided to ensure that entries are not included multiple times for payment. The date field used to identify the cutoff must be in each data submission and date ranges cannot overlap between sets of data provided for the incentive. Overlapping date ranges will result in a reduction of incentive amounts approved.

All line items that are identical to another data line will be removed and not allowed as a qualified spends. If the lines are not truly duplicates, make sure that plenty of detail is provided to prove two different payments. The ideal situation is that similar items be paid with different check numbers. Any amounts removed from qualified spend by journal entry should have both the spend and journal entry removed from the file before submission

Appendix E- Excel Templates for Data Submission

Expenditures -Template

General Ledger Account	Vendor Name	Invoice Number	Invoice Date	Description	Employee Name	WeekEnding Date	Check Number	Check Date	Petty Cash Envelope Number	Transaction Type	Transaction Number	Transaction Date	Amount of TN spend

Location List -Template

Location Name	Nature of Activity at Location	Street 1	Street 2	City	State	Zip	Country	Phone	Email

Crew List- Template

Obscured SSN	Employee ID	Last Name	First Name	lvfiddle Initial	Street 1	Street 2	City	State	Zip	Country	Phone	Email

Vendor List- Template

FEID	Vendor Name	Street 1	Street 2	City	State	Zip	Conntry	Phone	Email

Appendix F– AUP Testing Selection Guidance

Tennessee Film, Entertainment, and Music Commission ("TFEMC") 25% Production Incentive

Appendix F: AUP Testing Selection Guidance

Sampling of Qualified Tennessee Expenditures, paid to individuals (payroll)

	Qualified Tennessee Payroll Less than $500,000	**Qualified Tennessee Payroll Greater than or equal to $500,000 but less than $2,500,000**	**Qualified Tennessee Payroll Greater than or equal to $2,500,000**
Top Strata	Top Ten employees by gross wages (or all reaching maximum)	Top Ten employees by gross wages (or all reaching maximum)	Top Fifteen employees by gross wages (or all reaching maximum)
Strata 1	10 employees with gross wages less than Top Strata	15 employees with gross wages less than Top Strata	35 employees with gross wages less than Top Strata

Sampling of Qualified Tennessee Expenditures, other than payments to individuals (non-payroll)

	Qualified Tennessee Non-Payroll Less than $500,000	**Qualified Tennessee Non-Payroll Greater than or equal to $500,000 but less than $2,500,000**	**Qualified Tennessee Non-Payroll Greater than or equal to $2,500,000**
Top Strata	All Qualified Tennessee Expenditures Greater than or equal to $25,000	All Qualified Tennessee Expenditures Greater than or equal to $25,000	All Qualified Tennessee Expenditures Greater than or equal to $25,000
Strata 1	25 Qualified Tennessee Expenditures Greater than or equal to $2,000 less than $25,000	50 Qualified Tennessee Expenditures Greater than or equal to $2,000 less than $25,000	100 Qualified Tennessee Expenditures Greater than or equal to $2,000 less than $25,000
Strata 2	25 Qualified Tennessee Expenditures Less than $2,000	25 Qualified Tennessee Expenditures Less than $2,000	50 Qualified Tennessee Expenditures Less than $2,000