



Empire State Development

COMMERCIAL PRODUCTION TAX CREDIT – ANNUAL REPORT CALENDAR YEAR 2021

PROGRAM OVERVIEW

Empire State Development (ESD) oversees administration of the Empire State Commercial Production Tax Credit Program. The Program is designed to increase the production of commercial filming in New York State (“NYS”).

Credits of up to \$7 million per year can be allocated to encourage qualified production companies to produce commercials in NYS and help create and maintain jobs. The \$7 million per year consists of two components for companies: shooting commercials Downstate (\$4 million) and shooting Upstate (\$3 million).

An applicant can receive a credit of 20% on qualified production expenses under Downstate and 30% on qualified production expenses under the Upstate components of the Commercial Tax Credit Program.

Credit for Downstate (\$4 million)

The Downstate component is based on filming or recording qualified commercials within the Metropolitan Commuter Transportation District (MCTD). The MCTD includes New York City, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk and Westchester counties.

To qualify, more than \$500,000 in total qualified costs attributable to the production of qualified commercials within the MCTD during the calendar year must be incurred.

The amount of credit is initially calculated as 20% of qualified costs over the \$500,000 threshold. Credits are distributed on a pro rata basis among applicants for the downstate credit.

Empire State Development

1 625 Broadway, Albany, NY 12207
(518) 292-5100 | www.esd.ny.gov

Credit for Upstate (\$3 million)

The Upstate component is based on filming or recording of qualified commercials *outside* the MCTD but within NYS.

To qualify, more than \$100,000 in total qualified costs attributable to the production of qualified commercials outside the MCTD during the calendar year must be incurred.

The amount of the credit is initially calculated as 30% of qualified costs. Credits are distributed on a pro rata basis among applicants for the Upstate credit.

APPLICATIONS

ESD accepts applications by April 1st each year for commercials produced the previous year. All applications received for each of the three components are reviewed for completeness and the qualified costs verified. Once the total amount of credits earned for each component of the Program has been determined, the pro rata value for each applicant is calculated and a certificate of tax credit issued.

PROGRAM ACTIVITY

The credits issued to date over the life of the Program are as follows:

- 2010 - \$5.7 million in credits based on 34 applications representing 498 commercials
- 2011 - \$5.6 million in credits based on 39 applications representing 408 commercials
- 2012 - \$5.8 million in credits based on 36 applications representing 369 commercials
- 2013 - \$5.4 million in credits based on 43 applications representing 513 commercials
- 2014 - \$5.0 million in credits based on 34 applications representing 405 commercials
- 2015 - \$3.87 million in credits based on 34 applications representing 423 commercials
- 2016 - \$4.4 million in credits based on 35 applications representing 335 commercials
- 2017 - \$3.06 million in credits based on 33 applications representing 256 commercials
- 2018 - \$3.36 million in credits based on 30 applications representing 248 commercials
- 2019 - \$4.4 million in credits based on 36 applications representing 371 commercials
- 2020 - \$4.1 million in credits based on 14 applications representing 163 commercials
- 2021 - \$4.4 million in credits based on 27 applications representing 248 commercials

Beginning with tax year 2015, information is required to be disclosed about the name of the company receiving the tax credit, the amount of tax credit issued, and the credit eligible hours

and wages for each commercial production company issued credits. Chart A below shows this information for companies receiving credits for commercials produced in 2021¹.

¹ Chart A shows \$4,081,591 in credits issued to companies that produced commercials during calendar year 2021. The total credits issued for 2021 was \$4,435,427 which includes \$353,837 in carry-over credits from commercials produced during calendar year 2020.

CHART A
COMMERCIAL PRODUCTION TAX CREDIT PROGRAM - CREDITS ISSUED – 2021 COMMERCIALS

Name of Commercial Production Company	Address	Total Production Costs	Total Qualified Costs	Tax Credit	Credit Eligible Hours	Credit Eligible Wages	Project Hires
Assembly Films	411 Lafayette Street 2nd Floor, New York NY 10003	\$1,387,363	\$1,322,307	\$62,501	8,902	\$537,428	197
Biscuit Filmworks LLC	7026 Santa Monica Blvd, Los Angeles, CA 90038	\$3,381,500	\$3,104,125	\$146,507	11,514	\$864,744	443
Daily Post LLC	678 Main Street, Buffalo, NY 14202	\$384,407	\$311,347	\$93,404	3,608	\$195,936	49
Division 7	823 Seward Street, Los Angeles, CA 90038	\$3,615,670	\$3,382,816	\$154,980	15,674	\$1,188,444	396
Do or Die Dares	146 Grog Kill Road, Willow, NY 12495	\$2,653,621	\$1,984,214	\$71,830	9,186	\$596,307	227
Ghost Robot Inc	346 Grand Street, Brooklyn, NY 11211	\$979,446	\$835,506	\$41,832	4,726	\$275,272	140
Gravy Films	7111 Santa Monica Bl, Suite B270, West Hollywood, CA 90046	\$836,384	\$720,199	\$10,657	4,059	\$307,008	117
Hog Farm Digital Inc	400 West 14th St, New York NY 10014	\$1,570,337	\$1,311,795	\$50,533	9,533	\$539,800	273
Hungry Man Inc	106 Seventh Ave 2nd Floor, New York NY 10011	\$1,113,792	\$986,292	\$166,091	13,189	\$1,018,350	270
Loon Productions	400 2nd Avenue, Apt 7F, New York, NY 10010	\$923,536	\$868,140	\$17,817	3,100	\$147,677	93
Macguffin Films LTD	411 Lafayette Street 2nd Floor, New York, NY 10003	\$4,476,718	\$4,327,149	\$480,018	35,771	\$2,488,844	827
Michael Schrom & Company	100 Corporate Drive, Suite # 201, Blauvelt, NY 10913	\$3,609,252	\$3,091,748	\$278,770	23,489	\$1,858,943	858
Morton Jankel Zander Inc	2201 S. Carmelina Avenue, Los Angeles CA 90064	\$3,688,653	\$3,542,808	\$240,327	20,653	\$1,644,586	438
Moxie Pictures, Inc.	147 North San Vicente Blvd, Beverly Hills, CA 90211	\$1,503,119	\$1,386,802	\$50,211	7,361	\$631,712	192

Chart A Continued

Name of Commercial Production Company	Address	Total Production Costs	Total Qualified Costs	Tax Credit	Credit Eligible Hours	Credit Eligible Wages	Project Hires
Northern Lights Post, Inc.	135 West 27th Street, 8th Floor, New York, NY 10001	\$683,269	\$558,111	\$19,912	5,117	\$268,844	188
O Positive LLC	48 West 25th Street 3rd Floor New York NY 10010	\$4,515,222	\$3,985,914	\$399,602	22,217	\$1,598,050	450
Optic Sky Production	34 Elton Street, Rochester, NY 14607	\$1,131,810	\$942,340	\$282,702	5,627	\$301,914	146
Park Pictures LLC	184 5th Avenue, New York, NY 10010	\$2,545,302	\$2,427,902	\$164,426	16,635	\$1,149,502	271
Pretty Bird	9905 Jefferson Boulevard, Culver City, CA 90232	\$6,640,756	\$5,758,408	\$255,094	31,689	\$2,322,812	983
PSYOP Media Company, LLC	45 Howard St 5th Floor, New York NY 10013	\$2,030,527	\$1,887,635	\$112,439	19,453	\$1,706,621	145
Radical Media, LLC	435 Hudson Street, New York, NY 10014	\$5,840,031	\$4,979,305	\$243,047	27,299	\$2,009,590	848
Room Content	159 Bleecker St, New York NY 10012	\$1,008,062	\$764,554	\$110,034	4,585	\$274,265	118
Seeker Productions	360 Furman St Suite 1207, Brooklyn, NY 11201	\$1,115,285	\$1,066,649	\$53,216	5,742	\$444,049	132
Smuggler	823 Seward Street, Los Angeles, CA 90038	\$5,478,375	\$4,611,817	\$379,814	26,102	\$1,952,564	739
Special Team Films Inc dba Tiny Giant	63 Flushing Ave Bldg 275 Room 304 Brooklyn NY 11205	\$1,600,845	\$1,309,040	\$40,893	8,088	\$451,119	239
Stink	160 Van Brunt St 3rd Floor, Brooklyn, NY 11231	\$1,812,272	\$1,520,386	\$106,754	8,013	\$450,097	266
Yacht Club	456 Johnson Avenue, Unit 105, Brooklyn, NY 11237	\$1,554,032	\$1,495,509	\$48,179	6,626	\$360,186	157
Totals		\$66,079,586	\$58,482,818	\$4,081,591	\$357,958	\$25,584,664	\$9,202