



Empire State Development

FILM TAX CREDIT – QUARTERLY REPORT
CALENDAR YEAR 2021: FIRST QUARTER
MARCH 31, 2021

Empire State Development (ESD) oversees administration of the film production and post-production tax credits.

This report reflects program activity during this quarter. The information presented includes projected spending, hires, and estimated credits for film and post-production projects deemed eligible to participate in the Program, and actual spending, hires and credits issued to projects that have been completed and audited.

ESD accepts initial applications on a continuous basis and reviews them when deemed complete. A preliminary eligibility determination is made for all applications that meet the criteria set forth in statute and regulations and applicants are invited to submit a final application once projects are finished. This report reflects new applications submitted during January, February, and March 2021.

Production companies may be eligible to receive a fully refundable base line credit of 25 percent of qualified production costs and post-production costs incurred in New York State. Additional incentives may be available in each of the tax credit Programs and subject to additional requirements.

INITIAL APPLICATIONS BY TAX CREDIT LEVEL

The tax credit is claimed pursuant to a three-tiered schedule. Projects issued less than \$1 million in credits can claim the entire credit in the first year (i.e., the first taxable year after the allocation year). Projects with credits issued of more than \$1 million but less than \$5 million can claim the credit over two years (50% each year); and, projects issued credits of \$5 million or more can claim

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the credit over three years (33% each year). Below is a summary of the initial applications received this quarter based on the amount of estimated credits.

- Number of Projects, estimated credits of less than \$1 million: 13 projects / \$3,688,495
- Number of Projects, estimated credits of \$1 million up to \$5 million: 9 projects / \$18,983,028
- Number of Projects, estimated credits of \$5 million or more: 2 projects / \$33,126,429

For film production projects, once a project is completed and a final application is submitted and approved, a tax credit certificate is issued. The timing of credit claims is based on: (1) the project completion date, (2) the allocation year and (3) the size of the credit allotted. The first year an approved applicant can claim a credit is the taxable year in which the project is completed or the year following the allocation year, whichever is later.

For post-production projects, the credit shall be allowed for the taxable year in which the production of such qualified film is completed.

The projected completion dates for the initial applications submitted this quarter fall between May 2021 and March 2022.

INITIAL APPLICATIONS – FILM PRODUCTION CREDIT

During the first quarter of 2021, the Film Tax Credit Program deemed 11 initial applications eligible to submit a final application for credits. The data in this report is based on those projects, which include 8 films and 3 series totaling over \$48 million in estimated credits.

INITIAL APPLICATIONS – FILM PRODUCTION CREDIT – BY MONTH

- January 2021, 1 initial application received, estimated tax credits: \$127,241
- February 2021, 7 initial applications received, estimated tax credits: \$32,912,048
- March 2021, 3 initial applications received, estimated tax credits: \$15,072,459

Chart A shows the estimated number of hires, qualified costs, and total New York budget per project for the 11 initial applications approved this quarter. The New York budget represents the estimated spending in New York State. The figures shown in the column for number of employees are head-count numbers, not full-time equivalents.

FILM - PRODUCTION TAX CREDIT PROGRAM			
Chart A			
Initial Applications Submitted During 1st Quarter 2021			
ID	Number of Employees	Qualified Costs	Total NY Budget
2568	34	\$449,824	\$589,402
2569	42	\$301,618	\$366,230
2570	8,786	\$85,195,892	\$109,290,664
2571	106	\$1,826,890	\$2,495,484
2572	224	\$3,972,859	\$5,924,605
2573	150	\$9,988,213	\$11,859,979
2574	700	\$10,186,086	\$12,445,667
2575	477	\$13,922,904	\$22,075,572
2576	1,211	\$8,425,334	\$12,776,908
2577	4,061	\$47,309,822	\$55,658,917
2578	432	\$3,632,642	\$4,930,445
Totals	16,223	\$185,212,084	\$238,413,873

INITIAL APPLICATIONS – POST-PRODUCTION CREDIT

During the first quarter of 2021, the Film Tax Credit Program deemed 13 initial applications for the post-production tax credit eligible to submit a final application for credits.

INITIAL APPLICATIONS – POST- PRODUCTION CREDIT – BY MONTH

- January 2021, 4 initial applications received, estimated tax credits: \$2,232,642
- February 2021, 1 initial application received, estimated tax credits: \$1,482,535
- March 2021, 8 initial applications received, estimated tax credits: \$3,971,027

Chart B shows the estimated number of hires, qualified costs, and total New York budget for each of the 13 post-production projects approved this quarter.

POST - PRODUCTION TAX CREDIT PROGRAM			
Chart B			
Initial Applications Submitted During The 1st Quarter 2021			
ID	Number of Employees	Qualified Costs	Total NY Budget
746	0	\$50,000	\$50,000
747	6	\$242,018	\$302,018
748	21	\$6,189,421	\$6,855,265
749	8	\$2,449,131	\$2,944,264
750	146	\$5,930,141	\$12,692,706
751	0	\$825,000	\$825,000
752	0	\$3,000,010	\$3,000,010
753	66	\$6,934,052	\$7,554,002
754	0	\$225,000	\$225,000
755	0	\$1,012,500	\$1,012,500
756	0	\$2,489,500	\$2,489,500
757	7	\$875,076	\$875,076
758	8	\$482,972	\$557,239
Totals	262	\$30,704,821	\$39,382,580

FINAL APPLICATIONS – CREDITS ISSUED – FILM PRODUCTION AND POST-PRODUCTION

Effective 2013, statutory provisions require the reporting of the following information: the name of the company receiving the film and post-production tax credit, the amount of tax credit issued, and the credit eligible hours and wages for each project issued a credit.

During the first quarter of 2021, 23 film projects and 8 post-production projects were issued credits that are subject to this requirement. Charts C and D show the project name, the studio when applicable, the company that was issued the credit, the state where the company is incorporated, the county when applicable, the qualified costs, the total spending in New York State, the total number of employees hired, the credit eligible hours and credit eligible wages, and the credit issued amount for each of these 31 projects.

- Chart C - The 23 film projects issued credits during this reporting period spent \$783.8 million in New York State, hired 39,002 production workers and were issued credits of \$165.3 million.
- Chart D - The 8 post-production project issued credit during this period spent \$10 million in New York State, hired 63 production workers and were issued credits of \$2.7 million.

EMPIRE STATE ENTERTAINMENT DIVERSITY JOB TRAINING DEVELOPMENT FUND

Effective January 2020, recipients of film production and post-production tax credits are required to relinquish 0.0025% of their earned tax credit to capitalize the Empire State Entertainment Diversity Job Training Development Fund. This first-in-the-nation New York Entertainment Workforce Diversity Grant Program will support efforts to recruit, hire, promote, retain, develop, and train a diverse and inclusive workforce in the motion picture and television industry in New York. Applications for grant funding are currently being accepted.

The following charts C & D reflect the amount of credit diverted from each project.

Chart C

Film Tax Credit Program – Credits Issued

PROJECT	Studio	Company	State of Inc.	County	Qualified Costs	NYS Spend	Total Hires	Credit Eligible Hours	Credit Eligible Wages	Credit Issued Amount	Diversity Credit Amount
America’s Got Talent S9 and S10	NBCU	Marathon Productions, Inc.	NY	New York	\$66,354,337	\$92,422,656	1,849	302,867	\$14,752,938	\$19,856,535	\$49,766
Tonight Show Starring Jimmy Fallon S3	NBCU	Universal Television LLC	NY	New York	\$40,192,253	\$89,285,878	2,563	367,653	\$18,370,409	\$12,027,532	\$30,144
Sunny Side Up Season 9	NBCU	Sprout Media Productions, LLC	NY	New York	\$2,592,636	\$3,791,470	131	12,260	\$801,976	\$775,847	\$1,944
An Interview with God		Peachtree Cinema 1, LLC	GA		\$1,484,235	\$2,227,919	304	26,650	\$597,621	\$444,158	\$1,113
Your Stupid		USR Digital NYC Inc.	NY	Kings	\$427,462	\$551,032	262	9,994	\$236,018	\$127,598	\$320
Accommodations		Accommodations, LLC	NY	New York	\$550,380	\$844,813	183	11,848	\$225,674	\$164,701	\$413
Kindergarten Teacher, The		TKT Productions, Inc.	NY	Albany	\$1,554,040	\$1,980,332	361	29,575	\$674,067	\$471,023	\$1,181
Week Of, The	Netflix	Oh Yes Productions, Inc.	DE		\$26,144,457	\$47,398,781	2,045	270,263	\$11,663,814	\$7,823,729	\$19,608

Chart C Continued

PROJECT	Studio	Company	State of Inc.	County	Qualified Costs	NYS Spend	Total Hires	Credit Eligible Hours	Credit Eligible Wages	Credit Issued Amount	Diversity Credit Amount
Eighteen To Party		Holy Wow, LLC	NY	Suffolk	\$288,075	\$401,967	100	7,960	\$122,057	\$86,207	\$216
Escape at Dannemora	Showtime	Possible Productions Inc.	DE		\$67,811,010	\$85,246,590	2,840	630,517	\$31,159,703	\$21,504,871	\$53,897
Good Cop, The – S1	Netflix	Fall Far Productions, LLC	DE		\$43,101,013	\$50,194,714	3,590	418,659	\$20,361,118	\$12,897,978	\$32,326
Kitchen, The	WB	New Line Productions, Inc.	CA		\$36,000,334	\$49,806,294	2,199	332,730	\$17,831,127	\$10,773,100	\$27,000
Tick, The - S2	SONY	Mesquite Productions, Inc.	CA		\$32,026,561	\$42,968,169	1,778	291,655	\$14,515	\$9,583,948	\$24,020
Ray Donovan - Season 6	Showtime	Possible Productions Inc.	DE		\$61,639,309	\$84,246,748	5,086	584,238	\$27,527,711	\$18,445,564	\$46,229
Friends From College - S2	Netflix	Can't Forget Productions, LLC	DE		\$20,204,306	\$27,564,758	2,127	185,695	\$9,125,826	\$6,046,139	\$15,153
Bashira		Bashira New York Inc.	NY	New York	\$4,543,008	\$5,788,409	325	54,545	\$2,336,658	\$1,678,523	\$4,207

Chart C Continued

PROJECT	Studio	Company	State of Inc.	County	Qualified Costs	NYS Spend	Total Hires	Credit Eligible Hours	Credit Eligible Wages	Credit Issued Amount	Diversity Credit Amount
See You Yesterday		Black to Da Future, Inc.	NY	New York	\$5,138,552	\$6,475,424	728	66,781	\$2,511,507	\$1,537,712	\$3,854
Blacklist Season 6	SONY	Woodbridge Prodns	CA		\$74,014,383	\$104,061,201	5,675	401,992	\$34,379,340	\$22,148,804	\$55,511
First Wives Club	Paramount Pictures	Paramount Pictures	DE		\$15,196,613	\$21,857,547	2,313	166,976	\$7,332,127	\$4,547,587	\$11,397
Ramy Youssef Series – S1	Hulu	Hyphen Hyphen LLC	DE		\$9,688,571	\$14,411,170	1,042	4,962,502	\$126,832	\$2,899,305	\$7,266
Living With Yourself – S1	Netflix	LWY Productions LLC	DE		\$21,514,958	\$29,645,560	1,390	201,046	\$10,164,704	\$6,438,351	\$16,136
Lost Girls		Always Am Productions Inc.	NY	New York	\$10,139,411	\$13,762,221	806	111,165	\$4,850,457	\$3,036,497	\$7,610
For Life	SONY	Topanga Prodns	CA		\$6,787,604	\$8,874,738	1,305	75,812	\$3,584,201	\$2,031,190	\$5,091
Totals					\$547,393,508	\$783,808,391	39,002	9,523,383	\$218,750,400	\$165,346,898	\$414,403

Chart D

POST – Production Tax Credit Program – Credits Issued

Project	Studio	Company	State of Inc.	County	Qualified Costs	NYS Spend	Total Hires	Credit Eligible Hours	Credit Eligible Wages	Credit Issued Amount	Diversity Credit Amount
Captive State	Amblin Partners	NY The Nine Productions, LLC	DE		\$2,645,981	\$3,210,281	11	27,554	\$1,265,457	\$847,017	\$2,123
Low Tide		Low Tide Film LLC	NY	New York	\$34,695	\$38,393	5	727	\$15,836	\$10,382	\$26
Dragged Across Concrete		Moot Point (Dragged) US Inc.	NY	New York	\$485,995	\$533,800	8	3,101	\$179,678	\$145,434	\$364
Glass		Cabana 13 Productions, LLC	PA		\$974,682	\$974,682	0	0	0	\$291,674	\$731
Lighthouse, The		Lighthouse Pictures New York Inc.	NY	New York	\$1,234,444	\$1,496,071	21	5,930	\$313,244	\$369,407	\$926
Then Came You		Skitch TV	NY	Saratoga	\$703,221	\$955,505	3	3,370	\$309,701	\$211,281	\$530
Rattlesnake		Snaked NY Inc	NY	New York	\$445,486	\$446,384	0	0	0	\$133,312	\$334

Chart D Continued

Project	Studio	Company	State of Inc.	County	Qualified Costs	NYS Spend	Total Hires	Credit Eligible Hours	Credit Eligible Wages	Credit Issued Amount	Diversity Credit Amount
Fracture		Fracture Productions NY Inc.	NY	Albany	\$2,199,962	\$2,387,073	15	11,508	\$672,926	\$658,339	\$1,650
Totals					\$8,724,466	\$10,042,189	63	52,190	\$2,756,842	\$2,666,846	\$6,684