



# Empire State Development

**FILM TAX CREDIT – QUARTERLY REPORT  
CALENDAR YEAR 2021: THIRD QUARTER  
SEPTEMBER 30, 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, pursuant to new reporting requirements, actual spending, hires and credits issued to projects that have been completed and audited.

ESD accepts initial applications on a rolling 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 July, August, and September 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. 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 the credit over three years (33% each

Empire State Development

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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: 46 projects / \$17,276,145
- Number of Projects, estimated credits of \$1 million up to \$5 million: 18 projects / \$47,419,559
- Number of Projects, estimated credits of \$5 million or more: 20 projects / \$382,483,699

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 September 2021 and June 2023.

#### **INITIAL APPLICATIONS – FILM PRODUCTION CREDIT**

During the third quarter of 2021, the Film Tax Credit Program deemed 50 initial applications eligible to submit a final application for credits. The data in this report is based on those projects, which include 25 films, 23 series and 2 pilots totaling over \$431 million in estimated credits.

#### **INITIAL APPLICATIONS – FILM PRODUCTION CREDIT – BY MONTH**

- July 2021, 19 initial application received, estimated tax credits: \$210,050,750
- August 2021, 18 initial applications received, estimated tax credits: \$131,694,850
- September 2021, 13 initial applications received, estimated tax credits: \$89,431,380

Chart A shows the estimated number of hires, qualified costs, and total New York budget per project for the 50 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.

<b>FILM - PRODUCTION TAX CREDIT PROGRAM</b>			
<b>Chart A</b>			
<b>Initial Applications Submitted During 3rd Quarter 2021</b>			
<b>ID</b>	<b>Number of Employees</b>	<b>Qualified Costs</b>	<b>Total NY Budget</b>
2609	4,584	\$84,103,326	\$126,745,897
2610	11,952	\$85,624,081	\$109,128,138
2611	6,921	\$92,873,241	\$118,546,771
2612	1,357	\$14,496,321	\$16,360,013
2613	1,511	\$79,673,201	\$135,863,663
2614	165	\$2,748,436	\$4,111,508
2615	3,461	\$78,659,314	\$98,208,114
2616	4,582	\$117,778,160	\$155,584,339
2617	1,772	\$100,402,588	\$127,470,310
2618	8,046	\$121,534,711	\$184,335,501
2619	1,748	\$23,132,654	\$32,105,519
2620	71	\$1,502,954	\$1,989,741
2621	58	\$636,962	\$1,167,350
2622	266	\$2,131,069	\$3,799,847
2623	203	\$431,376	\$650,822
2624	1,060	\$13,363,333	\$15,216,134
2625	140	\$2,784,637	\$3,583,510
2626	31	\$210,192	\$301,753
2627	1,020	\$13,776,181	\$18,723,867
2628	248	\$2,499,139	\$3,682,837
2629	434	\$20,685,348	\$25,955,037
2630	6,215	\$92,193,329	\$112,325,282
2631	165	\$5,266,512	\$8,118,434
2632	3,329	\$50,440,160	\$72,080,511
2633	981	\$17,490,984	\$24,836,837
2634	7,701	\$105,530,425	\$121,921,756
2635	282	\$2,052,645	\$2,582,215
2636	1,886	\$111,372,065	\$129,303,666
2637	230	\$880,237	\$1,089,357
2638	212	\$2,922,185	\$3,902,820
2639	194	\$3,125,703	\$3,698,400
2640	94	\$1,921,533	\$2,334,183
2641	518	\$9,142,516	\$12,149,074
2642	2,998	\$45,472,069	\$59,310,909
2643	132	\$11,515,131	\$20,328,612
2644	94	\$13,122,755	\$23,030,367

Chart A Continued			
ID	Number of Employees	Qualified Costs	Total NY Budget
2645	363	\$11,093,071	\$15,552,830
2646	2,501	\$72,483,342	\$104,487,003
2647	1,533	\$11,038,174	\$14,062,026
2648	173	\$828,912	\$1,066,208
2649	794	\$35,256,404	\$48,964,820
2650	603	\$10,864,689	\$14,068,867
2651	490	\$47,695,452	\$102,964,034
2652	3,825	\$74,573,326	\$91,027,141
2653	84	\$14,894,750	\$30,566,007
2654	590	\$16,383,152	\$19,640,457
2655	465	\$68,258,667	\$91,432,586
2656	394	\$3,194,801	\$4,234,366
2657	120	\$749,844	\$1,048,525
2665	101	\$1,403,869	\$1,944,539
<b>Totals</b>	<b>86,697</b>	<b>\$1,700,213,926</b>	<b>\$2,321,602,503</b>

#### INITIAL APPLICATIONS – POST-PRODUCTION CREDIT

During the third quarter of 2021, the Film Tax Credit Program deemed 34 initial applications for the post-production tax credit eligible to submit a final application for credits.

#### INITIAL APPLICATIONS – POST- PRODUCTION CREDIT – BY MONTH

- July 2021, 10 initial applications received, estimated tax credits: \$4,440,773
- August 2021, 9 initial application received, estimated tax credits: \$4,589,960
- September 2021, 15 initial applications received, estimated tax credits: \$6,971,690

Chart B shows the estimated number of hires, qualified costs, and total New York budget for each of the 34 post-production projects approved this quarter.

POST - PRODUCTION TAX CREDIT PROGRAM			
Chart B			
Initial Applications Submitted During The 3rd Quarter 2021			
ID	Number of Employees	Qualified Costs	Total NY Budget
791	0	\$1,070,000	\$1,070,000
792	46	\$6,832,130	\$7,154,247
794	3	\$352,702	\$352,702
795	10	\$1,266,232	\$1,281,232
796	51	\$3,187,705	\$5,268,034
797	0	\$180,000	\$180,000
798	10	\$2,191,411	\$2,901,761
799	35	\$424,150	\$436,552
800	14	\$2,206,374	\$3,857,751
801	2	\$640,985	\$640,985
802	0	\$540,000	\$540,000
803	9	\$728,010	\$770,610
804	0	\$850,000	\$850,000
805	24	\$2,708,092	\$3,188,951
806	13	\$6,401,058	\$8,132,315
807	10	\$4,114,378	\$4,597,427
808	2	\$354,743	\$429,743
809	7	\$325,477	\$325,477
810	0	\$540,000	\$540,000
811	0	\$590,825	\$590,825
812	35	\$2,022,580	\$2,192,580
813	15	\$3,518,850	\$4,193,748
814	4	\$818,590	\$818,590
815	0	\$572,925	\$572,925
816	14	\$2,849,360	\$3,126,649
817	15	\$4,495,482	\$5,695,242
818	0	\$2,100,000	\$2,100,000
819	0	\$799,100	\$799,100
820	18	\$5,387,626	\$6,674,826
821	8	\$487,883	\$515,133
822	17	\$3,688,774	\$5,076,928
823	6	\$1,536,873	\$1,725,682
824	0	\$175,000	\$175,000
826	6	\$52,385	\$64,885
<b>Totals</b>	<b>374</b>	<b>\$64,009,700</b>	<b>\$76,839,900</b>

## **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 third quarter of 2021, 19 film projects and 9 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 28 projects.

- Chart C - The 19 film projects issued credits during this reporting period spent \$350.3 million in New York State, hired 23,581 production workers and were issued credits of \$73.6 million.
- Chart D - The 9 post-production project issued credit during this period spent \$20.6 million in New York State, hired 173 production workers and were issued credits of \$5.4 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 supports 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 accepted on a rolling basis.

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
Here Alone		Stale Cracker Films, LLC	NY	Steuben	\$96,562	\$178,565	41	1,995	\$28,880	\$28,896	\$72
Youth In Oregon		Cantankerous Films Inc.	NY	Kings	\$2,853,724	\$4,165,245	553	41,786	\$1,346,594	\$853,977	\$2,140
Mozart in the Jungle - Season 2	Amazon	Picrow Streaming, Inc.	CA		\$12,438,029	\$19,359,975	1,998	205,554	\$6,743,500	\$3,722,080	\$9,329
Rapid Eye Movement		Rapid Eye Productions, LLC	NY	New York	\$188,453	\$219,759	65	5,608	\$82,900	\$56,394	\$141
Thanksgiving		Outer Borough Pictures LLC	NY	New York	\$808,796	\$1,448,216	185	19,785	\$380,037	\$242,032	\$607
Shades of Blue - Season 3	NBCU	Universal Television LLC	CA		\$34,472,907	\$50,120,004	2,804	322,566	\$15,757,197	\$10,316,017	\$25,855
Human Affairs		The Nose of Desire LLC	NY	Kings	\$270,716	\$372,146	73	6,280	\$113,632	\$81,012	\$203
Cat and The Moon, The		Cat and the Moon Prodns LLC	DE		\$883,891	\$1,226,459	241	15,085	\$252,371	\$264,504	\$663
Break with Michelle Wolf, The	Netflix	Breakwolf, LLC	NY	New York	\$6,104,702	\$11,003,609	575	62,505	\$2,226,468	\$1,826,832	\$4,579

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
King of Knives		KOK The Film, LLC	NY	Westchester	\$2,177,953	\$2,645,879	417	54,747	\$1,693,121	\$651,753	\$1,633
Shed, The		What's in the Shed, Inc.	NY	Nassau	\$430,441	\$533,670	73	10,376	\$268,987	\$155,058	\$389
Blue Bloods - S9	CBS	Eye Productions Inc.	DE		\$70,340,581	\$110,028,840	5,773	618,455	\$29,742,736	\$21,049,419	\$52,755
Happy! - S2	NBCU	Universal Television LLC	DE		\$36,663,102	\$47,161,752	3,407	366,242	\$18,353,351	\$10,971,434	\$27,497
Search Party Season 3	Turner	Search Party Productions LLC	NY	New York	\$10,451,058	\$16,203,970	1,555	121,715	\$5,314,734	\$3,127,479	\$7,838
Constance - Pilot	Turner	Constance Productions, LLC	DE		\$7,177,491	\$8,668,363	1,205	77,155	\$3,628,487	\$2,147,864	\$5,383
Odd Man Rush		Good You Plus, Inc	NY	New York	\$1,829,735	\$2,301,489	294	25,450	\$745,573	\$673,754	\$1,689
16 Bars		16 Bars Production Services Inc	NY	New York	\$1,797,176	\$2,708,895	499	33,476	\$853,229	\$537,837	\$1,348
How To with John Wilson - Pilot	HBO	Schenk Entertainment, Inc.	NY	New York	\$449,975	\$840,664	46	7,112	\$263,241	\$134,655	\$337
Evil - S1	CBS	CBS Television Studios	DE		\$56,266,542	\$71,128,294	3,777	505,404	\$25,005,932	\$16,837,763	\$42,200
<b>Totals</b>					<b>\$245,701,834</b>	<b>\$350,315,794</b>	<b>23,581</b>	<b>2,501,296</b>	<b>\$112,800,970</b>	<b>\$73,678,759</b>	<b>\$184,659</b>



**Chart D**

**POST - Production Tax Credit Program - Credits Issued**

<b>Project</b>	<b>Studio</b>	<b>Company</b>	<b>State of Inc.</b>	<b>County</b>	<b>Qualified Costs</b>	<b>NYS Spend</b>	<b>Total Hires</b>	<b>Credit Eligible Hours</b>	<b>Credit Eligible Wages</b>	<b>Credit Issued Amount</b>	<b>Diversity Credit Amount</b>
Goldie & Bear - S2	Disney	Robin Red Breast, Inc.	NY	New York	\$4,561,717	\$5,227,369	40	93,983	\$3,669,217	\$1,365,094	\$3,421
Niko and the Sword of Light - S2	Amazon	Niko S02 Productions, Inc.	NY	New York	\$1,970,140	\$1,970,140	35	44,025	\$1,444,059	\$589,564	\$1,478
Cubby		The Rock & The Ripe LLC	IN		\$18,700	\$22,700	10	520	\$5,400	\$5,596	\$14
Noelle	Disney	Elf City Productions, Inc.	CA		\$8,177,773	\$9,578,003	75	52,830	\$3,432,727	\$2,447,199	\$6,133
Cobra Kai Series - S2	SONY	Mesquite Productions, Inc.	CA		\$145,423	\$145,423	0	0	\$0	\$43,518	\$109
Midnight Texas Season 2	NBCU	Universal Television LLC	CA		\$704,877	\$704,877	0	0	\$0	\$210,934	\$529
Roads Not Taken, The		Kam Productions Inc	NY	New York	\$116,465	\$116,465	0	0	\$0	\$34,852	\$87
Dark Waters		Beta Productions LLC dba Beta NY Productions, LLC	DE		\$2,254,781	\$2,501,432	13	12,615	\$766,983	\$674,743	\$1,691
I Am Not Okay With This - Season 1	Netflix	Teen Angst Productions, LLC	DE		\$361,078	\$361,078	0	0	\$0	\$108,052	\$271
<b>Totals</b>					<b>\$18,310,954</b>	<b>\$20,627,487</b>	<b>173</b>	<b>203,973</b>	<b>\$9,318,386</b>	<b>\$5,479,552</b>	<b>\$13,733</b>