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ASSEMBLY BILL NO. 238—ASSEMBLYMEMBERS  
JAUREGUI AND MONROE-MORENO

FEBRUARY 17, 2025

Referred to Committee on Revenue

SUMMARY—Enacts the Nevada Studio Infrastructure Jobs and Workforce Training Act. (BDR S-63)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to economic development; enacting the Nevada Studio Infrastructure Jobs and Workforce Training Act; requiring the Office of Economic Development to enter into a development agreement to establish certain criteria for the development of infrastructure for the production of motion pictures and other qualified productions; establishing requirements for a production company located at such a development to be eligible for film infrastructure transferable tax credits for qualified productions produced at the development; providing for the calculation of the amount of film infrastructure transferable tax credits; revising provisions governing noninfrastructure transferable tax credits for motion pictures and other qualified productions produced in this State; authorizing an additional amount of noninfrastructure transferable tax credits; establishing the Account for Nevada Film, Media and Related Technology Education and Vocational Training and a board to approve distributions from the Account; providing for the distribution of money from the Account to certain entities and organizations that provide education and vocational training to develop a workforce for the production of qualified productions in this State; and providing other matters properly relating thereto.



**Legislative Counsel's Digest:**

1 Existing law establishes a program for the issuance of transferable tax credits  
2 by the Office of Economic Development to the production company of a motion  
3 picture or other qualified production, based upon qualified direct production  
4 expenditures made for the purchase of personal property or services from a Nevada  
5 business. (NRS 360.758-360.7598) This bill revises provisions governing these  
6 transferable tax credits and enacts the Nevada Studio Infrastructure Jobs and  
7 Workforce Training Act to authorize film infrastructure transferable tax credits for  
8 qualified productions produced at the site of the Summerlin Production Studios  
9 Project.

10 **Sections 1-16** of this bill enact the Nevada Studio Jobs and Workforce Training  
11 Act, which provides film infrastructure transferable tax credits for production  
12 companies located within the Summerlin Production Studios Project, as defined in  
13 **section 8**. **Section 9** requires the Office of Economic Development to enter into a  
14 development agreement with the lead participant of the Project to establish certain  
15 criteria that the Project is required to satisfy in exchange for production companies  
16 located at the Project to be eligible for film infrastructure transferable tax credits.  
17 **Section 10** of this bill: (1) authorizes production companies located at the Project to  
18 apply, on or after October 1, 2025, to the Office for film infrastructure transferable  
19 tax credits for qualified productions produced, in whole or in part, at the Project;  
20 and (2) authorizes such credits to be used against the modified business tax,  
21 insurance premium tax or gaming license fee, or any combination of these taxes  
22 and fees. **Section 11** establish the qualified production expenditures which are the  
23 basis for calculating the amount of film infrastructure transferable tax credits,  
24 including, without limitation, purchases and rental of property or services from a  
25 Nevada business, wages and fringe benefits paid to employees who are Nevada  
26 residents for services on the qualified production, certain fees paid to producers and  
27 amounts paid to personal service corporations for the services of certain persons on  
28 the qualified production. **Section 12** of this bill provides that the base amount of  
29 film infrastructure transferable tax credits is 30 percent of the amount of qualified  
30 direct production expenditures calculated under **section 11**, with certain reductions  
31 if the production company does not satisfy certain criteria for employing Nevada  
32 residents as below-the-line personnel or employing or offering training or work  
33 opportunities to members of traditionally underrepresented groups. **Section 13**: (1)  
34 limits the total amount of film infrastructure transferable tax credits issued pursuant  
35 to **sections 1-16** to \$80,000,000 for each fiscal year beginning on or after July 1,  
36 2028; and (2) prohibits the approval of an application for film infrastructure  
37 transferable tax credits if the application is submitted in a fiscal year that begins  
38 more than 15 years after the Project satisfies the capital investment requirements set  
39 forth in the development agreement entered into pursuant to **section 9**. **Section 14**  
40 requires a production company to commence principal photography within a certain  
41 period of time after the Office issues a decision on the application for a certificate  
42 of eligibility for film infrastructure transferable tax credits, complete the qualified  
43 production within 18 months after the date of commencement of principal  
44 photography and submit certain required information within the required period.  
45 **Section 15** requires a production company to repay film infrastructure transferable  
46 tax credits under certain circumstances. **Section 16** requires certain reports to be  
47 made to the Legislature concerning film infrastructure transferable tax credits.

48 **Sections 17-25** of this bill make various changes to the existing law governing  
49 the noninfrastructure transferable tax credits for motion picture and other qualified  
50 productions. (NRS 360.758-360.7598) **Section 17** changes references to "extras" in  
51 a qualification production to "background actors." **Section 18**: (1) provides that  
52 digital media productions are qualified productions for the purposes of eligibility  
53 for film infrastructure transferable tax credits and noninfrastructure transferable tax  
54 credits; and (2) clarifies that media productions solely produced for social media



55 are not eligible for such transferable tax credits. **Section 19** revises the criteria to be  
56 eligible for noninfrastructure transferable tax credits to be the same as the criteria  
57 for film infrastructure transferable tax credits by: (1) requiring at least 50 percent of  
58 the total principal photography days to take place in this State rather than requiring  
59 a certain percentage of direct production expenditures to be incurred in this State;  
60 and (2) requiring a production company to have a workforce plan that establishes  
61 certain goals and provide to the Office a final assessment of whether the production  
62 company met or made a good faith effort to meet those goals. **Section 20** revises  
63 the expenditures and costs that may serve as a basis for noninfrastructure  
64 transferable tax credits. **Section 21:** (1) increases the base amount of transferable  
65 tax credits from 15 percent of the qualified direct production expenditures to 30  
66 percent of the qualified direct production expenditures, for an application submitted  
67 in each fiscal year beginning on or after July 1, 2028, and ending before July 1,  
68 2043; and (2) provides for certain reductions to that base amount during that period.  
69 **Section 22** makes certain provisions of existing law relating to the calculation of  
70 noninfrastructure transferable tax credits inapplicable for period beginning on  
71 July 1, 2028, and ending on June 30, 2043. **Section 23** temporarily increases from  
72 \$10,000,000 to \$15,000,000 the total amount of noninfrastructure transferable tax  
73 credits for motion picture and other qualified productions that may be issued under  
74 the existing program for each fiscal year beginning on or after July 1, 2028, until  
75 June 30, 2043. **Sections 24 and 25** make conforming changes so that  
76 noninfrastructure transferable tax credits are administered and reported in the same  
77 manner as film infrastructure transferable tax credits.

78 **Sections 26-33** of this bill establish a program to provide grants to certain  
79 organizations that provide education and vocational training for workforce  
80 development for the production of motion pictures and other qualified productions.  
81 **Section 31** establishes the Account for Nevada Film, Media and Related  
82 Technology Education and Vocational Training for the purpose of allocating  
83 money to certain entities and organizations that provide education and vocational  
84 training for such workforce development. **Sections 10 and 19** require a production  
85 company that is issued transferable tax credits for a qualified production to pay to  
86 the Office an amount of money equal to 1 percent of the amount of transferable tax  
87 credits issued to the qualified production, and requires the Office to deposit that  
88 money with the State Treasurer for credit to the Account. **Section 32** creates and  
89 provides for the composition of the Board for Nevada Film, Media and Related  
90 Technology Education and Vocational Training within the Office of Economic  
91 Development. **Section 33:** (1) requires the Board to establish the procedure for a  
92 person or entity to apply for a grant of money from the Account, the criteria to be  
93 used to determine whether to approve an application for a grant from the Account  
94 to an applicant and the requirements for reports by recipients of such grants  
95 concerning the use of the grants; (2) prohibits the making of a grant from the  
96 Account unless the Board approves the application for the grant; and (3) requires a  
97 recipient of a grant from the Account to adopt and implement a community benefits  
98 program that satisfies certain requirements.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Sections 1 to 16, inclusive, of this act may be cited  
2 as the Nevada Studio Infrastructure Jobs and Workforce Training  
3 Act.

4 **Sec. 2.** 1. The Legislature hereby finds and declares that:



1 (a) The Las Vegas Metropolitan Area is the largest metropolitan  
2 area in this State and has a site available to be developed to create  
3 large-scale facilities for the location of companies that produce  
4 motion pictures and other qualified productions in this State, which  
5 will create jobs in that industry in this State and diversify the  
6 economy of this State.

7 (b) Because the Las Vegas Metropolitan Area is appropriate and  
8 suitable for the development of a large-scale project to develop  
9 large-scale facilities for the location of companies that produce  
10 motion pictures and other qualified productions and has all the  
11 special attributes, conditions and resources that are essential to  
12 support such facilities, it is necessary to enact a law of local and  
13 special application to promote, develop and secure the advantages of  
14 the local and special characteristics and circumstances within the  
15 Las Vegas Metropolitan Area, which are found nowhere else in this  
16 State, and to benefit the residents of the entire State.

17 (c) Therefore, given that a law of local and special application is  
18 necessary to promote, develop and secure the advantages of the  
19 local and special characteristics and circumstances within the Las  
20 Vegas area, which are found nowhere else within this State, and  
21 given that such a law is necessary to benefit the residents of that  
22 local and special area, a general law cannot be made applicable to  
23 the purposes, objects, powers, rights, privileges, immunities,  
24 liabilities, duties and disabilities set forth in this Act.

25 2. The Legislature further finds and declares that, as a result of  
26 the construction of large-scale facilities for the production of motion  
27 pictures and other qualified productions in this State and the direct,  
28 indirect and induced economic benefits of such productions in this  
29 State, the enactment of this Act will achieve a bona fide social or  
30 economic purpose and the economic benefits of the issuance of the  
31 transferable tax credits to encourage the location of large-scale  
32 facilities for the production of motion pictures and other qualified  
33 productions in this State are expected to exceed any adverse effect  
34 of the transferable tax credits on the revenue raised for the provision  
35 of services to the public by the State or a local government.

36 **Sec. 3.** As used in sections 1 to 16, inclusive, of this act,  
37 unless the context otherwise requires, the words and terms defined  
38 in NRS 360.7581 to 360.7586, inclusive, as amended by sections 17  
39 and 18 of this act, have the meanings ascribed to them in those  
40 sections, and the words and terms defined in sections 4 to 8,  
41 inclusive, of this act have the meanings ascribed to them in those  
42 sections.

43 **Sec. 4.** "Capital investment" means all costs and expenses  
44 incurred by the participants in the Project only in connection with  
45 the acquisition of the land for the Project and the acquisition,



1 construction, installation and equipping of the facilities, buildings,  
2 structures and other infrastructure at the Project for the production  
3 of qualified productions at the Project.

4 **Sec. 5.** “Lead participant” means the person designated by the  
5 participants in the Project as the lead participant for the Project.

6 **Sec. 6.** “Nevada Partners Vocational Training Studio” means a  
7 facility to provide vocational training and education for the  
8 development of a trained workforce for the production in this State  
9 of qualified productions that are film and television productions,  
10 which is constructed by the Summerlin Production Studios Project  
11 pursuant to subparagraph (2) of paragraph (a) of subsection 1 of  
12 section 9 of this act.

13 **Sec. 7.** “Office” means the Office of Economic Development  
14 within the Office of the Governor.

15 **Sec. 8.** “Summerlin Production Studios Project” or “Project”  
16 means a project for the construction of a development consisting of  
17 facilities, buildings, structures and other infrastructure for the  
18 production of qualified productions at the site of real property  
19 burdened by the following development agreements and owned by  
20 the master developer under such development agreements or such  
21 master developer’s affiliated entities:

22 1. Development agreement between Clark County and Howard  
23 Hughes Properties, Limited Partnership dated February 7, 1996, as  
24 amended, and recorded on September 4, 1996, in Book 960904 as  
25 Instrument No. 01725 and re-recorded on September 10, 1996, in  
26 Book 960910 as Instrument No. 01379 in the official records of the  
27 Clark County, Nevada Recorder’s Office.

28 2. Development agreement between the City of Las Vegas and  
29 Howard Hughes Properties, Limited Partnership, recorded on  
30 November 21, 1997, in Book 971121 as Instrument No. 00839, as  
31 amended, in the official records of the Clark County, Nevada  
32 Recorder’s Office.

33 **Sec. 9.** 1. Not later than 120 days after the effective date of  
34 this act, the Office shall enter into a development agreement with  
35 the lead participant of the Summerlin Production Studios Project,  
36 unless the Office agrees to extend this period by not more than 60  
37 days. The development agreement entered into pursuant to this  
38 section:

39 (a) Except as otherwise provided in subsection 2, must require  
40 the Project to:

41 (1) Not later than June 30, 2028, complete construction of a  
42 development consisting of facilities, buildings, structures and other  
43 infrastructure for the production of qualified productions at the site  
44 of the Project, which must consist of a new capital investment in this  
45 State of at least \$400,000,000;



1 (2) Complete construction of the Nevada Partners Vocational  
2 Training Studio, which must:

3 (I) Be a facility to provide vocational training and  
4 education for the development of a trained workforce for the  
5 production in this State of qualified productions that are film and  
6 television productions;

7 (II) Consist of a new capital investment in this State of at  
8 least \$8,000,000; and

9 (III) Be located at a site owned by Nevada Partners, Inc.,  
10 or its successor organization, by June 30, 2030, or, if the lead  
11 participant has found a site owned by Nevada Partners, Inc. to be  
12 in viable or Nevada Partners, Inc. ceases to exist and has no  
13 successor organization, at a site approved by the Southern Nevada  
14 Enterprise Community Board, by June 30, 2031;

15 (3) Not later than 5 years after the Office and the lead  
16 participant execute the development agreement, make a contribution  
17 of at least \$6,000,000 to the Clark County Redevelopment Agency  
18 to support the arts, cultural programs and training for small  
19 businesses related to the production of qualified productions that are  
20 film or television productions; and

21 (4) Provide written notice to the Office within 30 days after  
22 completing the requirements set forth in subparagraphs (1), (2) and  
23 (3). Upon receipt of the written notice, the Office shall make a final  
24 determination of whether the requirement has been met. If the  
25 Office determines that the requirement has been met, the Office  
26 shall establish the date on which the requirement was met.

27 (b) Must establish the minimum amount of square feet of  
28 building space at the Project to be used for the various components  
29 of the production of qualified productions.

30 (c) Must establish the minimum number of acres of real property  
31 that will be a part of the Project.

32 (d) May include such other provisions, not inconsistent with  
33 law, concerning the development of the Project and the issuance of  
34 film infrastructure transferable tax credits pursuant to sections 3 to  
35 16, inclusive, of this act, as agreed to by the Office and the lead  
36 participant.

37 2. As the Executive Director of the Office deems necessary or  
38 advisable, the Executive Director may modify any requirement set  
39 forth in paragraph (a) of subsection 1 by extending the date by  
40 which the capital investment, construction or contribution set forth  
41 in those provisions must be made or completed, as applicable.

42 3. The Office shall not approve any abatement, partial  
43 abatement or exemption from taxes, or any other incentive for  
44 economic development, other than film infrastructure transferable  
45 tax credits pursuant to sections 3 to 16, inclusive, of this act or



1 noninfrastructure transferable tax credits pursuant to NRS 360.758  
2 to 360.7598, inclusive, for the Summerlin Production Studios  
3 Project if the Project has entered into a development agreement with  
4 the Office pursuant to this section.

5 4. As used in this section, "Southern Nevada Enterprise  
6 Community Board" means the Southern Nevada Enterprise  
7 Community Board created by section 8 of the Southern Nevada  
8 Enterprise Community Infrastructure Improvement Act.

9 **Sec. 10.** 1. A production company that is located at the  
10 Summerlin Production Studios Project and that produces, in whole  
11 or in part, a qualified production at the Project may, on or after  
12 October 1, 2025, apply to the Office for a certificate of eligibility for  
13 film infrastructure transferable tax credits for any qualified direct  
14 production expenditures. The film infrastructure transferable tax  
15 credits may be applied to:

16 (a) Any tax imposed by chapter 363A or 363B of NRS;

17 (b) The gaming license fee imposed by the provisions of  
18 NRS 463.370;

19 (c) Any tax imposed by chapter 680B of NRS; or

20 (d) Any combination of the fees and taxes described in  
21 paragraphs (a), (b) and (c).

22 2. Except as otherwise provided in section 13 of this act, the  
23 Office shall approve an application for a certificate of eligibility for  
24 film infrastructure transferable tax credits if the Office finds that the  
25 production company is producing the qualified production, in whole  
26 or in part, at the Summerlin Production Studios Project and the  
27 production company qualifies for the film infrastructure transferable  
28 tax credits pursuant to subsection 3. If the Office approves the  
29 application, the Office shall:

30 (a) Calculate the estimated amount of film infrastructure  
31 transferable tax credits that may be issued for the qualified  
32 production pursuant to sections 11, 12 and 13 of this act; and

33 (b) Immediately forward a copy of the certificate of eligibility  
34 which identifies the estimated amount of tax credits available  
35 pursuant to section 12 of this act to:

36 (1) The applicant;

37 (2) The lead participant;

38 (3) The Department of Taxation; and

39 (4) The Nevada Gaming Control Board.

40 3. To be eligible for film infrastructure transferable tax credits  
41 pursuant to this section, the production company must:

42 (a) Submit an application that meets the requirements of  
43 subsection 4;

44 (b) Submit written documentation from the lead participant that  
45 affirms that the production company is located at the Summerlin



1 Production Studios Project and is producing, in whole or in part, a  
2 qualified production at the Project;

3 (c) Provide proof to the Office that 70 percent or more of the  
4 funding for the qualified production has been obtained;

5 (d) Provide proof to the Office that at least 50 percent of the  
6 total principal photography days of the qualified production will  
7 take place in this State;

8 (e) Provide to the Office:

9 (1) Proof that the applicant has in place a workforce plan for  
10 the qualified production that outlines specific goals for:

11 (I) Hiring a workforce that reflects the diversity of this  
12 State, including, without limitation, the age, gender, gender identity  
13 or expression, as defined in NRS 0.034, sexual orientation, ethnic  
14 and geographic diversity of this State;

15 (II) Using vendors that are minority-owned business  
16 enterprises or woman-owned business enterprises; and

17 (III) Achieving the requirements set forth in subsection 2  
18 of section 12 of this act; and

19 (2) Not later than 365 days after the completion of principal  
20 photography of the qualified production, unless the Office agrees to  
21 extend this period by not more than 180 days, a final assessment of  
22 the workforce plan that includes documentation on whether the  
23 production met or made good faith efforts to achieve the goals set  
24 forth in the workforce plan;

25 (f) Not later than 365 days after the completion of principal  
26 photography of the qualified production or, if any direct production  
27 expenditures for postproduction will be incurred in this State, not  
28 later than 365 days after the completion of postproduction, unless  
29 the Office agrees to extend this period by not more than 180 days,  
30 provide the Office with an audit of the qualified production that  
31 includes:

32 (1) An itemized report of qualified direct production  
33 expenditures which:

34 (I) Shows that the qualified production incurred qualified  
35 direct production expenditures of \$500,000 or more; and

36 (II) Is certified by an independent certified public  
37 accountant in this State who is approved by the Office;

38 (2) A list of each contractor, vendor, personal service  
39 corporation or loan-out company or other business engaged by the  
40 production company to provide goods or perform services in an  
41 aggregate amount of at least \$10,000 or more in this State in  
42 connection with the qualified production and the amount paid to  
43 each contractor, vendor, personal service corporation or loan-out  
44 company or other business for such goods or services; and





1 (3) Proof that the production company secured all licenses  
2 and registrations required to do business in each location in this  
3 State at which the qualified production was produced;

4 (g) Pay the cost of the audit required by paragraph (f);

5 (h) Enter into a written agreement with the Office that requires  
6 the production company to include:

7 (1) In the end screen credits of the qualified production, a  
8 logo of this State provided by the Office which indicates that the  
9 qualified production was filmed or otherwise produced in Nevada;  
10 or

11 (2) If the qualified production does not have end screen  
12 credits, another acknowledgment in the final version of the qualified  
13 production that indicates that the qualified production was filmed or  
14 otherwise produced in Nevada; and

15 (i) Enter into a written agreement with the Office that requires  
16 the production company to transmit to each contractor, vendor,  
17 personal service corporation or loan-out company or other business  
18 engaged by the production company to provide goods or perform  
19 services in an aggregate amount of at least \$10,000 or more in this  
20 State in connection with a qualified production, not later than 30  
21 calendar days after the production company pays the contractor,  
22 vendor, personal service corporation or loan-out company or other  
23 business, a notification that includes:

24 (1) A statement that Nevada imposes:

25 (I) A tax on wages paid by certain employers pursuant to  
26 chapters 363A and 363B of NRS; and

27 (II) A commerce tax on certain business entities pursuant  
28 to chapter 363C of NRS; and

29 (2) Instructions for obtaining additional information from the  
30 Department of Taxation regarding the collection and remittance of  
31 taxes pursuant to chapters 363A, 363B and 363C of NRS.

32 4. An application submitted pursuant to subsection 3 must  
33 contain:

34 (a) A script, storyboard or synopsis of the qualified production;

35 (b) The names of the production company, producer, director  
36 and proposed cast;

37 (c) An estimated timeline to complete the qualified production;

38 (d) An estimate of the percentage of principal photography days  
39 of the qualified production that will take place in this State and  
40 outside this State;

41 (e) An insurance certificate, binder or quote for general liability  
42 insurance of \$1,000,000 or more;

43 (f) The business address of the production company;

44 (g) The written documentation from the lead participant that is  
45 required by paragraph (b) of subsection 3;



1 (h) The workforce plan of the production company required by  
2 subparagraph (1) of paragraph (e) of subsection 3; and

3 (i) Proof that the qualified production meets any applicable  
4 requirements relating to workers' compensation insurance.

5 5. Within 45 business days after receipt of a final assessment of  
6 the workforce plan provided by a production company pursuant to  
7 subparagraph (2) of paragraph (e) of subsection 3, an audit provided  
8 by a production company pursuant to paragraph (f) of subsection 3  
9 and any other accountings or other information required by the  
10 Office, the Office shall determine whether to certify the audit and  
11 make a final determination of whether a certificate of film  
12 infrastructure transferable tax credits will be issued. If the Office  
13 certifies the audit, determines that all other requirements for the film  
14 infrastructure transferable tax credits have been met and determines  
15 that a certificate of film infrastructure transferable tax credits will be  
16 issued, the Office shall notify the production company and the lead  
17 participant that the film infrastructure transferable tax credits will be  
18 issued.

19 6. Within 90 days after the receipt of the notice, the production  
20 company shall make an irrevocable declaration of the amount of  
21 film infrastructure transferable tax credits that will be applied to  
22 each fee or tax set forth in subsection 1, thereby accounting for all  
23 of the credits that will be issued in relation to the qualified  
24 production.

25 7. Upon receipt of the declaration required by subsection 6, the  
26 Office shall issue to the production company a certificate of film  
27 infrastructure transferable tax credits in the amount approved by the  
28 Office for the fees or taxes included in the declaration of the  
29 production company. The film infrastructure transferable tax credits  
30 issued under the certificate may not be used before July 1, 2028.  
31 The production company shall notify the Office upon transferring  
32 any of the film infrastructure transferable tax credits. The Office  
33 shall notify the Department of Taxation and the Nevada Gaming  
34 Control Board of all film infrastructure transferable tax credits  
35 issued, segregated by each fee or tax set forth in subsection 1, and  
36 the amount of any film infrastructure transferable tax credits  
37 transferred.

38 8. Within 60 days after the production company uses any film  
39 infrastructure transferable tax credits issued pursuant to subsection 7  
40 or notifies the Office of any transfer of film infrastructure  
41 transferable tax credits issued pursuant to subsection 7, the  
42 production company shall pay to the Office an amount of money  
43 equal to 1 percent of the amount of film infrastructure transferable  
44 tax credits issued to the production company pursuant to subsection  
45 7. The Office shall deposit any money received pursuant to this



1 subsection with the State Treasurer for credit to the Account for  
2 Nevada Film, Media and Related Technology Education and  
3 Vocational Training created by section 31 of this act. A payment  
4 made pursuant to this subsection shall be deemed to be a payment  
5 made from film infrastructure transferable tax credits which would  
6 have been authorized and approved for the production company if a  
7 payment pursuant to this section were not required.

8 9. An applicant for film infrastructure transferable tax credits  
9 pursuant to this section shall, upon the request of the Executive  
10 Director of the Office, furnish the Executive Director with copies of  
11 all records necessary to verify that the applicant meets the  
12 requirements of subsection 3.

13 10. The Office:

14 (a) Shall adopt regulations prescribing:

15 (1) Any additional qualified expenditures or production costs  
16 that may serve as the basis for film infrastructure transferable tax  
17 credits pursuant to section 11 of this act;

18 (2) The application review process;

19 (3) That a production for which records are required by 18  
20 U.S.C. § 2257 to be maintained with respect to any performer in  
21 such production is not eligible for film infrastructure transferable tax  
22 credits; and

23 (4) Any necessary provisions to ensure compliance with the  
24 requirements of paragraph (e) of subsection 3 relating to workforce  
25 plans; and

26 (b) May adopt any other regulations that are necessary to ensure  
27 that the provisions of sections 2 to 16, inclusive, of this act are  
28 carried out in a manner that is reasonable and customary in the  
29 industry for the production of qualified productions.

30 11. The Nevada Tax Commission and the Nevada Gaming  
31 Commission:

32 (a) Shall adopt regulations prescribing the manner in which film  
33 infrastructure transferable tax credits will be administered.

34 (b) May adopt any other regulations that are necessary for the  
35 Department of Taxation and the Nevada Gaming Control Board, as  
36 applicable, to carry out the functions performed by each entity  
37 pursuant to the provisions of sections 2 to 16, inclusive, of this act.

38 **Sec. 11.** 1. Except as otherwise provided in subsection 3,  
39 qualified direct production expenditures that may serve as a basis  
40 for film infrastructure transferable tax credits issued pursuant to  
41 section 10 of this act must:

42 (a) Be expenditures made during the period in which a qualified  
43 production is produced;

44 (b) Be customary and reasonable;



1 (c) Relate to a category of qualified expenditures and costs listed  
2 in subsection 2; and

3 (d) Be:

4 (1) Purchases, rentals or leases of tangible personal property  
5 or services from a Nevada business.

6 (2) The payroll, including wages, salaries and fringe benefits,  
7 for Nevada residents or other personnel who provided services in  
8 this State.

9 (3) Fees paid to a producer, as included in the calculation of  
10 the amount of film infrastructure transferable tax credits in  
11 accordance with subsection 6.

12 (4) Payments made to a qualified entity for services  
13 performed in this State by a qualified individual.

14 2. Expenditures or costs that may serve as a basis for  
15 calculating film infrastructure transferable tax credits must relate to:

16 (a) Set construction and operation;

17 (b) Wardrobe and makeup;

18 (c) Photography, sound and lighting;

19 (d) Filming, film processing and film editing;

20 (e) The rental or leasing of facilities, equipment and vehicles;

21 (f) Food and lodging;

22 (g) Editing, sound mixing, special effects, visual effects and  
23 other postproduction services;

24 (h) Payment for goods or services provided by a Nevada  
25 business;

26 (i) The design, construction, improvement or repair of property,  
27 infrastructure, equipment or a production or postproduction facility;

28 (j) State and local government taxes to the extent not included as  
29 part of another cost reported pursuant to this section; or

30 (k) Any other transaction, service or activity authorized in  
31 regulations adopted by the Office pursuant to section 10 of this act.

32 3. Expenditures and costs:

33 (a) Related to:

34 (1) The acquisition, transfer or use of film infrastructure  
35 transferable tax credits;

36 (2) Marketing and distribution;

37 (3) Financing, depreciation and amortization;

38 (4) The payment of any profits as a result of the qualified  
39 production;

40 (5) The payment of the cost of the audit required by section  
41 10 of this act; or

42 (6) The payment for any goods or services that are not  
43 directly attributable to the qualified production;

44 (b) For which reimbursement is received, or for which  
45 reimbursement is reasonably expected to be received;



1 (c) Which are paid to a joint venturer or a parent, subsidiary or  
2 other affiliate of the production company, unless the amount paid  
3 represents the fair market value, which may be represented by a rate  
4 sheet, of the purchase, rental or lease of the property or services for  
5 which payment is made;

6 (d) Which have been previously claimed as a basis for film  
7 infrastructure transferable tax credits issued pursuant to section 10  
8 of this act or noninfrastructure transferable tax credits issued  
9 pursuant to NRS 360.759,

10 ↪ are not qualified direct production expenditures and are not  
11 eligible to serve as a basis for film infrastructure transferable tax  
12 credits issued pursuant to section 10 of this act.

13 4. If any tangible personal property is acquired by a Nevada  
14 business from a vendor outside this State for immediate resale,  
15 rental or lease to a production company that produces a qualified  
16 production, expenditures incurred by the production company for  
17 the purchase, rental or lease of the property are qualified direct  
18 production expenditures only if:

19 (a) The Nevada business regularly deals in property of that kind;  
20 and

21 (b) The expenditures are otherwise qualified direct production  
22 expenditures under the provisions of this section.

23 5. If any tangible personal property is acquired by the  
24 production company as an asset, the calculation of the costs of the  
25 tangible personal property that constitute a qualified direct  
26 production expenditure must be performed in the manner prescribed  
27 by the Office by regulation.

28 6. For the purposes of calculating qualified direct production  
29 expenditures, the compensation payable to a producer must not  
30 exceed 10 percent of the portion of the total budget of the qualified  
31 production that was expended in or attributable to any expenses  
32 incurred in this State.

33 7. As used in this section:

34 (a) "Fringe benefits" means employee expenses paid by an  
35 employer for the use of the employee's services, including, without  
36 limitation, payments made to a governmental entity, union dues,  
37 health insurance premiums, payments to a pension plan and  
38 payments for workers' compensation insurance.

39 (b) "Qualified entity" means an entity that is:

40 (1) A personal service corporation, as defined in 26 U.S.C. §  
41 269A(b)(1), a payroll services corporation or any entity receiving  
42 payments for services performed in this State by a qualified  
43 individual; and

44 (2) Registered to conduct business pursuant to the laws of  
45 this State.



1 (c) "Qualified individual" means any natural person who  
2 performs services during the production period in an activity related  
3 to the production of a qualified production. The term does not  
4 include:

5 (1) Any natural person related to the production company or  
6 an employee as described in subparagraph (A), (B) or (C) of 26  
7 U.S.C. § 51(i)(1).

8 (2) Any 5-percent owner, as defined in 26 U.S.C. §  
9 416(i)(1)(B), of the production company.

10 **Sec. 12.** 1. Except as otherwise provided in subsections 2  
11 and 5 and section 13 of this act, the base amount of film  
12 infrastructure transferable tax credits issued to an eligible  
13 production company pursuant to section 10 of this act must equal 30  
14 percent of the qualified direct production expenditures.

15 2. Except as otherwise provided in subsection 3 and section 13  
16 of this act, if the production company submitted the application for  
17 the certificate of eligibility for film infrastructure transferable tax  
18 credits pursuant to section 10 of this act on or after a date that is  
19 more than 36 months after the date on which the development  
20 agreement was executed pursuant to section 9 of this act, the Office  
21 shall reduce the cumulative amount of film infrastructure  
22 transferable tax credits that are calculated pursuant to this section:

23 (a) By 5 percent if less than 50 percent of the total amount of  
24 salaries and wages paid to all below-the-line personnel of the  
25 qualified production is paid to below-the-line personnel of the  
26 qualified production who are Nevada residents.

27 (b) By 5 percent if the final assessment of the workforce plan  
28 submitted by the production company for the qualified production  
29 pursuant to paragraph (e) of subsection 3 of section 10 of this act  
30 does not include documentation that at least two of the following  
31 requirements were met:

32 (1) The production company, distribution company or  
33 financing company for the qualified production offered training or  
34 work opportunities to traditionally underrepresented groups for the  
35 development of skills required for employment as below-the-line  
36 personnel or above-the-line personnel.

37 (2) Two or more persons who are members of a traditionally  
38 underrepresented group are employed on the qualified production as  
39 a casting director, cinematographer, composer, costume designer,  
40 director, editor, hairstylist, makeup artist, producer, production  
41 designer, set decorator, visual effects supervisor, writer, sound  
42 editor, sound effects editor, sound mixer, Foley artist or other  
43 similar personnel.

44 (3) Six or more persons who are members of a traditionally  
45 underrepresented group are employed on the qualified production in



1 a technical role, including, without limitation, production assistant,  
2 first assistant director, gaffer, script supervisor, digital imaging  
3 technician or other similar role.

4 (4) Not less than 20 percent of the below-the-line personnel  
5 employed on the qualified production, not including background  
6 actors, are members of a traditionally underrepresented group.

7 (5) One or more entities affiliated with the production  
8 company or distribution company has a program of substantive,  
9 ongoing paid apprenticeships or internships that include members of  
10 traditionally underrepresented groups in not less than three of the  
11 following departments:

12 (I) Production and development;

13 (II) Physical production;

14 (III) Postproduction;

15 (IV) Music;

16 (V) Visual effects;

17 (VI) Acquisitions;

18 (VII) Business affairs;

19 (VIII) Distribution; or

20 (IX) Marketing and publicity.

21 3. The Executive Director of the Office shall waive a reduction  
22 in the cumulative amount of film infrastructure transferable tax  
23 credits required pursuant to:

24 (a) Paragraph (a) of subsection 2 upon written proof to the  
25 Executive Director that the production company made a good faith  
26 effort to hire the required percentage of below-the-line personnel  
27 and there is an insufficient number of Nevada residents available  
28 and qualified for such employment.

29 (b) Paragraph (b) of subsection 2 upon written proof to the  
30 Executive Director that the production company made a good faith  
31 effort to meet the requirements of that paragraph and there is an  
32 insufficient number of persons available and qualified to meet the  
33 requirements.

34 4. A reduction in the cumulative amount of film infrastructure  
35 transferable tax credits required pursuant to subsection 2 must not  
36 reduce the amount of money paid by the production company and  
37 transferred pursuant to subsection 8 of section 10 of this act to the  
38 Account for Nevada Film, Media and Related Technology  
39 Education and Vocational Training created by section 31 of this act.

40 5. Except as otherwise provided in subsection 6, the Executive  
41 Director of the Office may:

42 (a) Reduce the cumulative amount of film infrastructure  
43 transferable tax credits that are calculated pursuant to this section by  
44 an amount equal to any damages incurred by the State or any



1 political subdivision of the State as a result of a qualified production  
2 that is produced in this State; or

3 (b) Withhold film infrastructure transferable tax credits, in  
4 whole or in part:

5 (1) Until any pending legal action in this State against a  
6 production company or involving a qualified production is resolved.

7 (2) If a production company violates any state or local law.

8 (3) If a production company is found to have knowingly  
9 submitted any false statement, representation or certification in any  
10 document submitted for the purpose of obtaining film infrastructure  
11 transferable tax credits.

12 6. Before taking any action authorized by subsection 5, the  
13 Executive Director of the Office shall:

14 (a) Consider any documentation submitted by the production  
15 company related to the action under consideration; and

16 (b) Make the following determinations:

17 (1) That good cause exists to take such action;

18 (2) That the action is reasonable based on the circumstances  
19 of the underlying incident on which the reduction or withholding of  
20 film infrastructure transferable tax credits authorized pursuant to  
21 subsection 5 is based; and

22 (3) The amount of any reduction or withholding of film  
23 infrastructure transferable tax credits authorized pursuant to  
24 subsection 5 is commensurate with the severity of the underlying  
25 incident on which the reduction or withholding is based.

26 7. As used in this section:

27 (a) "Racial or ethnic minority" means persons who are:

28 (1) Asian;

29 (2) Hispanic or Latino;

30 (3) Black or African American;

31 (4) Indigenous, Native American or Alaskan Native;

32 (5) Middle Eastern or North African;

33 (6) Native Hawaiian;

34 (7) Pacific Islander; or

35 (8) A member of any other underrepresented racial or ethnic  
36 minority group.

37 (b) "Traditionally underrepresented group" means:

38 (1) Women;

39 (2) A racial or ethnic minority group;

40 (3) A group of persons who identify as LGBTQ, which  
41 means lesbian, gay, bisexual, transgender, queer, intersex or any  
42 other nonheterosexual or noncisgender orientation or gender identity  
43 or expression;

44 (4) A group of persons with disabilities, as defined in  
45 NRS 426.068;





- 1 (5) Veterans;
- 2 (6) Persons who are currently serving on active duty in the
- 3 Armed Forces of the United States; or
- 4 (7) Persons who were previously incarcerated in a jail or
- 5 prison.

6 (c) "Veteran" means a person who has served in the Armed  
7 Forces of the United States, a reserve component thereof or the  
8 National Guard and was separated from such service under  
9 conditions other than dishonorable.

10 **Sec. 13.** 1. Except as otherwise provided in this section, the  
11 Executive Director of the Office shall not approve any application  
12 for film infrastructure transferable tax credits submitted pursuant to  
13 section 10 of this act if:

14 (a) Approval of the application would cause the total amount of  
15 film infrastructure transferable tax credits approved pursuant to  
16 section 10 of this act to exceed the sum of \$80,000,000 for each  
17 fiscal year beginning on or after July 1, 2028.

18 (b) The application is submitted by a production company in a  
19 fiscal year that begins more than 15 years after the date on which the  
20 Summerlin Production Studios Project satisfied the criteria set forth  
21 in subparagraph (1) of paragraph (a) of subsection 1 of section 9 of  
22 this act.

23 2. Except as otherwise provided in paragraph (b) of subsection  
24 1 and subsection 3, the amount of film infrastructure transferable tax  
25 credits authorized for a fiscal year that are not approved for that  
26 fiscal year may be carried forward and made available for approval  
27 only during the next fiscal year, but the amount of film  
28 infrastructure transferable tax credits carried forward and made  
29 available for approval during the next fiscal year must not exceed 50  
30 percent of the amount of film infrastructure transferable tax credits  
31 authorized for the fiscal year from which the film infrastructure  
32 transferable tax credits are being carried forward. For any fiscal year  
33 to which film infrastructure transferable tax credits are carried  
34 forward from the immediately preceding fiscal year pursuant to this  
35 subsection, the film infrastructure transferable tax credits that have  
36 been carried forward must be deemed to be the first film  
37 infrastructure transferable tax credits issued until the total amount of  
38 film infrastructure transferable tax credits carried forward from the  
39 immediately preceding fiscal year have been issued.

40 3. If the Summerlin Production Studios Project does not satisfy  
41 the criteria set forth in subparagraph (1) of paragraph (a) of  
42 subsection 1 of section 9 of this act, the Office shall not approve any  
43 application for film infrastructure transferable tax credits submitted  
44 on or after July 1, 2028, by a production company located at the  
45 Project.



1 4. The amount of film infrastructure transferable tax credits  
2 authorized for a fiscal year pursuant to paragraph (a) of subsection 1  
3 must be reduced by 50 percent if less than 50 percent of the film  
4 infrastructure transferable tax credits authorized for a fiscal year  
5 were approved in each of the immediately preceding 3 consecutive  
6 fiscal years.

7 5. The film infrastructure transferable tax credits issued to any  
8 production company for any qualified production pursuant to  
9 section 10 of this act expire at the end of the calendar year that is 6  
10 years after the date on which the film infrastructure transferable tax  
11 credits are issued to the production company.

12 **Sec. 14.** 1. Except as otherwise provided in this subsection,  
13 if an application for film infrastructure transferable tax credits is  
14 approved pursuant to section 10 of this act, principal photography of  
15 the qualified production must begin not more than 90 days after the  
16 date on which the decision on the application is issued. The Office:

17 (a) Shall prescribe by regulation the procedure for determining  
18 the date of commencement of qualified productions that do not  
19 include photography for the purposes of this section.

20 (b) May extend by not more than 90 days the period otherwise  
21 prescribed by this subsection, except that in the case of a force  
22 majeure, the Office may extend the period for more than 90 days.

23 2. A production company that produces a qualified production  
24 shall submit the final assessment of the workforce plan and audit  
25 required by section 10 of this act and all other required information  
26 to the Office and the Department of Taxation within the time  
27 required by paragraph (e) or (f) of subsection 3 of section 10 of this  
28 act, as applicable. Production of the qualified production must be  
29 completed within 18 months after the date of commencement of  
30 principal photography. If the Office or the Department determines  
31 that information submitted pursuant to this subsection is incomplete,  
32 the production company shall, not later than 30 days after receiving  
33 notice that the information is incomplete, provide to the Office or  
34 the Department, as applicable, all additional information required by  
35 the Office or the Department.

36 **Sec. 15.** 1. Except as otherwise provided in subsection 3, a  
37 production company that is found to have knowingly submitted any  
38 false statement, representation or certification in any document  
39 submitted for the purpose of obtaining film infrastructure  
40 transferable tax credits, or that otherwise becomes ineligible for film  
41 infrastructure transferable tax credits after receiving the film  
42 infrastructure transferable tax credits pursuant to section 10 of this  
43 act, shall repay to the Department of Taxation or the Nevada  
44 Gaming Control Board, as applicable, any portion of the film



1 infrastructure transferable tax credits to which the production  
2 company is not entitled.

3 2. Film infrastructure transferable tax credits purchased in  
4 good faith are not subject to forfeiture or repayment by the  
5 transferee unless the transferee submitted fraudulent information in  
6 connection with the purchase.

7 3. A production company is not required to forfeit or repay any  
8 portion of the film infrastructure transferable tax credits to which  
9 the production company is otherwise entitled if the production  
10 company demonstrates that the production company became  
11 ineligible for the film infrastructure transferable tax credits as a  
12 result of unforeseen circumstances beyond the control of the  
13 production company, including, without limitation, an event in the  
14 nature of force majeure.

15 **Sec. 16.** The Office shall, on or before October 1 of each even-  
16 numbered year, prepare and submit to the Governor and to the  
17 Director of the Legislative Counsel Bureau for transmittal to the  
18 Legislature a report that includes, for the immediately preceding  
19 fiscal years:

20 1. The number of applications submitted for film infrastructure  
21 transferable tax credits pursuant to section 10 of this act;

22 2. The number of qualified productions for which film  
23 infrastructure transferable tax credits were approved;

24 3. The amount of film infrastructure transferable tax credits  
25 approved;

26 4. The amount of film infrastructure transferable tax credits  
27 used;

28 5. The amount of film infrastructure transferable tax credits  
29 transferred;

30 6. The amount of film infrastructure transferable tax credits  
31 taken against each allowable fee or tax, including the actual amount  
32 used and outstanding, in total and for each qualified production;

33 7. The aggregate amount of the qualified direct production  
34 expenditures incurred by qualified productions and the portion of  
35 those expenditures that were incurred in Nevada;

36 8. The aggregate number of persons in Nevada employed by  
37 qualified productions, the aggregate amount of wages paid to those  
38 persons and aggregated demographic information concerning those  
39 persons;

40 9. The period during which each qualified production was in  
41 Nevada and employed persons in Nevada;

42 10. The number of qualified productions that were produced by  
43 persons or entities that are affiliated with the Summerlin Production  
44 Studios Project and the number of qualified productions that were



1 produced by persons or entities that are not affiliated with the  
2 Project;

3 11. Recommendations for strengthening the overall operation  
4 of the program for the issuance of film infrastructure transferable  
5 tax credits, including, without limitation, methods to promote and  
6 encourage the development and establishment of production  
7 companies in Nevada, including, without limitation, production  
8 companies that are not affiliated with the Summerlin Production  
9 Studios Project; and

10 12. Demographic information concerning persons who  
11 participate in a program of vocational training and education offered  
12 at the Nevada Partners Vocational Training Studio.

13 **Sec. 17.** NRS 360.7582 is hereby amended to read as follows:

14 360.7582 “Below-the-line personnel” means a person  
15 employed to work on a qualified production after production begins  
16 and before production is completed, including, without limitation,  
17 ~~an extra.~~ *a background actor*, best boy, boom operator, camera  
18 loader, camera operator, assistant camera operator, compositor,  
19 dialogue editor, film editor, assistant film editor, focus puller, Foley  
20 operator, Foley editor, gaffer, grip, key grip, lighting crew, lighting  
21 board operator, lighting technician, music editor, sound editor,  
22 sound effects editor, sound mixer, steadicam operator, first assistant  
23 camera operator, second assistant camera operator, digital imaging  
24 technician, camera operator working with a director of photography,  
25 electric best boy, grip best boy, dolly grip, rigging grip, assistant  
26 key for makeup, assistant key for hair, assistant script supervisor, set  
27 construction foreperson, lead set dresser, assistant key for wardrobe,  
28 scenic foreperson, assistant propmaster, assistant audio mixer,  
29 assistant boom person, assistant key for special effects and other  
30 similar personnel. The term does not include above-the-line  
31 personnel.

32 **Sec. 18.** NRS 360.7586 is hereby amended to read as follows:

33 360.7586 1. “Qualified production” includes preproduction,  
34 production and postproduction and means:

- 35 (a) A theatrical, direct-to-video or other media motion picture.  
36 (b) A made-for-television motion picture.  
37 (c) Visual effects or digital animation sequences.  
38 (d) A television pilot program.  
39 (e) A television, Internet or other media series, including,  
40 without limitation, a comedy, drama, miniseries, soap opera, talk  
41 show, game show or telenovela, or an episode of such a series.  
42 (f) A reality show.  
43 (g) A national or regional commercial or series of commercials.  
44 (h) An infomercial.  
45 (i) A music video.



- 1 (j) A documentary film or series.  
2 (k) Other visual media productions, including, without  
3 limitation, video games, *digital media* and mobile applications.  
4 2. The term does not include:  
5 (a) A news, weather or current events program.  
6 (b) A production that is primarily produced for industrial,  
7 corporate or institutional use.  
8 (c) A telethon or any production that solicits money, other than a  
9 production which is produced for national distribution.  
10 (d) A political advertisement.  
11 (e) A sporting event, including, without limitation, a sportscast,  
12 preshow, postshow or sports newscast related to a sporting event. A  
13 qualified production described by subsection 1 shall not be deemed  
14 a sporting event for the purposes of this paragraph for the sole  
15 reason that it features athletes or relates to sports.  
16 (f) A gala, pageant or awards show.  
17 (g) *Any type of media production created solely for the purpose*  
18 *of posting the production on social media, as defined in*  
19 *NRS 232.003.*  
20 (h) Any other type of production that is excluded by regulations  
21 adopted by the Office of Economic Development pursuant to  
22 NRS 360.759.

23 **Sec. 19.** NRS 360.759 is hereby amended to read as follows:

24 360.759 1. A production company that produces a qualified  
25 production in this State in whole or in part may apply to the Office  
26 of Economic Development for a certificate of eligibility for  
27 *noninfrastructure* transferable tax credits for any qualified direct  
28 production expenditures. The *noninfrastructure* transferable tax  
29 credits may be applied to:

- 30 (a) Any tax imposed by chapters 363A and 363B of NRS;  
31 (b) The gaming license fees imposed by the provisions of  
32 NRS 463.370;  
33 (c) Any tax imposed pursuant to chapter 680B of NRS; or  
34 (d) Any combination of the fees and taxes described in  
35 paragraphs (a), (b) and (c).

36 2. The Office ~~{may}~~ *shall* approve an application for a  
37 certificate of eligibility for *noninfrastructure* transferable tax  
38 credits if the Office finds that the production company producing  
39 the qualified production qualifies for the *noninfrastructure*  
40 transferable tax credits pursuant to subsection 3. If the Office  
41 approves the application, the Office shall ~~{calculate}~~ :

42 (a) *Calculate* the estimated amount of the *noninfrastructure*  
43 transferable tax credits pursuant to NRS 360.7592, 360.7593 and  
44 360.7594 ~~{ }~~ ; and



1 (b) *Immediately forward a copy of the certificate of eligibility*  
2 *that identifies the estimated amount of the tax credits available*  
3 *pursuant to NRS 360.7592 to:*

- 4 (1) *The applicant;*  
5 (2) *The Department of Taxation; and*  
6 (3) *The Nevada Gaming Control Board.*

7 3. To be eligible for *noninfrastructure* transferable tax credits  
8 pursuant to this section, a production company must:

9 (a) Submit an application that meets the requirements of  
10 subsection 4;

11 (b) ~~Provide proof satisfactory to the Office that the qualified~~  
12 ~~production is in the economic interest of the State;~~

13 ~~(c)}~~ Provide proof ~~[satisfactory]~~ to the Office that 70 percent or  
14 more of the funding for the qualified production has been obtained;

15 ~~[(d)]~~ (c) Provide proof ~~[satisfactory]~~ to the Office that at least  
16 ~~[60]~~ 50 percent of the ~~[direct production expenditures for:~~

17 ~~—(1) Preproduction;~~

18 ~~—(2) Production; and~~

19 ~~—(3) If any direct production expenditures for postproduction~~  
20 ~~will be incurred in this State, postproduction,~~

21 ~~→] total principal photography days~~ of the qualified production  
22 will ~~[be incurred]~~ take place in this State ~~[as qualified direct~~  
23 ~~production expenditures;~~

24 ~~—(e) ;~~

25 (d) *Provide to the Office:*

26 (1) *Proof that the applicant has in place a workforce plan*  
27 *for the qualified production that outlines specific goals for:*

28 (I) *Hiring a workforce that reflects the diversity of this*  
29 *State, including, without limitation, the age, gender, gender*  
30 *identity or expression, sexual orientation, ethnic and geographic*  
31 *diversity of this State;*

32 (II) *Using vendors that are minority-owned business*  
33 *enterprises or woman-owned business enterprises; and*

34 (III) *Achieving the requirements set forth in subsection*  
35 *3 of 360.7592; and*

36 (2) *Not later than 270 days after the completion of principal*  
37 *photography of the qualified production, unless the Office agrees*  
38 *to extend this period by not more than 90 days, a final assessment*  
39 *of the workforce plan that includes documentation on whether the*  
40 *production met or made good faith efforts to achieve the goals set*  
41 *forth in the workforce plan;*

42 (e) Not later than 270 days after the completion of principal  
43 photography of the qualified production or, if any direct production  
44 expenditures for postproduction will be incurred in this State, not  
45 later than 270 days after the completion of postproduction, unless



1 the Office agrees to extend this period by not more than 90 days,  
2 provide the Office with an audit of the qualified production that  
3 includes an itemized report of qualified direct production  
4 expenditures which:

5 (1) Shows that the qualified production incurred qualified  
6 direct production expenditures of \$500,000 or more; and

7 (2) Is certified by an independent certified public accountant  
8 in this State who is approved by the Office;

9 (f) Pay the cost of the audit required by paragraph (e); *and*

10 (g) Enter into a written agreement with the Office that requires  
11 the production company to include:

12 (1) In the end screen credits of the qualified production, a  
13 logo of this State provided by the Office which indicates that the  
14 qualified production was filmed or otherwise produced in Nevada;  
15 or

16 (2) If the qualified production does not have end screen  
17 credits, another acknowledgment in the final version of the qualified  
18 production which indicates that the qualified production was filmed  
19 or otherwise produced in Nevada. ~~]; and~~

20 ~~—(h) Meet any other requirements prescribed by regulation~~  
21 ~~pursuant to this section.]~~

22 4. An application submitted pursuant to subsection 3 must  
23 contain:

24 (a) A script, storyboard or synopsis of the qualified production;

25 (b) The names of the production company, producer, director  
26 and proposed cast;

27 (c) An estimated timeline to complete the qualified production;

28 (d) ~~[A summary of the budgeted expenditures for the entire~~  
29 ~~production, including projected expenditures to be incurred outside~~  
30 ~~of Nevada.]] *An estimate of the percentage of principal*  
31 *photography days of the qualified production that will take place*  
32 *in this State and outside this State;*~~

33 (e) Details regarding the financing of the project, including,  
34 without limitation, any information relating to a binding financing  
35 commitment, loan application, commitment letter or investment  
36 letter;

37 (f) An insurance certificate, binder or quote for general liability  
38 insurance of \$1,000,000 or more;

39 (g) The business address of the production company;

40 (h) Proof that the qualified production meets any applicable  
41 requirements relating to workers' compensation insurance;

42 (i) Proof that the production company has secured all licenses  
43 and registrations required to do business in each location in this  
44 State at which the qualified production will be produced; and



1 (j) ~~[Any other information required by regulations adopted by~~  
2 ~~the Office pursuant to subsection 8.]~~ *The workforce plan of the*  
3 *production company that is required by paragraph (d) of*  
4 *subsection 3.*

5 5. ~~[If the Office approves an application for a certificate of~~  
6 ~~eligibility for transferable tax credits pursuant to this section, the~~  
7 ~~Office shall immediately forward a copy of the certificate of~~  
8 ~~eligibility which identifies the estimated amount of the tax credits~~  
9 ~~available pursuant to NRS 360.7592 to:~~

10 ~~—(a) The applicant;~~

11 ~~—(b) The Department; and~~

12 ~~—(c) The Nevada Gaming Control Board.~~

13 ~~—6.]~~ Within 60 business days after receipt of *a final assessment*  
14 *of the workforce plan provided by a production company pursuant*  
15 *to paragraph (d) of subsection 3*, an audit provided by a production  
16 company pursuant to paragraph (e) of subsection 3 and any other  
17 accountings or other information required by the Office, the Office  
18 shall determine whether to certify the audit and make a final  
19 determination of whether a certificate of *noninfrastructure*  
20 transferable tax credits will be issued. If the Office certifies the  
21 audit, determines that all other requirements for the  
22 *noninfrastructure* transferable tax credits have been met and  
23 determines that a certificate of *noninfrastructure* transferable tax  
24 credits will be issued, the Office shall notify the production  
25 company *and the lead participant* that the *noninfrastructure*  
26 transferable tax credits will be issued.

27 6. Within 30 days after the receipt of the notice, the production  
28 company shall make an irrevocable declaration of the amount of  
29 *noninfrastructure* transferable tax credits that will be applied to  
30 each fee or tax set forth in subsection 1, thereby accounting for all  
31 of the credits which will be issued ~~[ ]~~ *in relation to the qualified*  
32 *production*. Upon receipt of the declaration, the Office shall issue to  
33 the production company a certificate of *noninfrastructure*  
34 transferable tax credits in the amount approved by the Office for the  
35 fees or taxes included in the declaration of the production company.  
36 The production company shall notify the Office upon transferring  
37 any of the *noninfrastructure* transferable tax credits. The Office  
38 shall notify the Department and the Nevada Gaming Control Board  
39 of all *noninfrastructure* transferable tax credits issued, segregated  
40 by each fee or tax set forth in subsection 1, and the amount of any  
41 *noninfrastructure* transferable tax credits transferred.

42 7. *Within 60 days after the production company uses any*  
43 *noninfrastructure transferable tax credits issued pursuant to*  
44 *subsection 6 or notifies the Office of any transfer of*  
45 *noninfrastructure transferable tax credits issued pursuant to*





1 *subsection 6, the production company shall pay to the Office an*  
2 *amount of money equal to 1 percent of the amount of*  
3 *noninfrastructure transferable tax credits issued to the production*  
4 *company pursuant to subsection 6. The Office shall deposit any*  
5 *money received pursuant to this subsection with the State*  
6 *Treasurer for credit to the Account for Nevada Film, Media and*  
7 *Related Technology Education and Vocational Training created*  
8 *by section 31 of this act. A payment made pursuant to this*  
9 *subsection shall be deemed to be a payment made from*  
10 *noninfrastructure transferable tax credits which would have been*  
11 *authorized and approved for the production company if a payment*  
12 *pursuant to this section were not required.*

13 8. An applicant for *noninfrastructure* transferable tax credits  
14 pursuant to this section shall, upon the request of the Executive  
15 Director of the Office, furnish the Executive Director with copies of  
16 all records necessary to verify that the applicant meets the  
17 requirements of subsection 3.

18 ~~[8.]~~ 9. The Office:

19 (a) Shall adopt regulations prescribing:

20 (1) ~~[Any additional requirements to receive transferable tax~~  
21 ~~credits;~~

22 ~~—(2)]~~ Any additional qualified expenditures or production  
23 costs that may serve as the basis for *noninfrastructure* transferable  
24 tax credits pursuant to NRS 360.7591;

25 ~~[(3) Any additional information that must be included with~~  
26 ~~an application pursuant to subsection 4;~~

27 ~~—(4)]~~ (2) The application review process;

28 ~~[(5) Any type of qualified]~~

29 (3) *That a production for which [due to obscene or sexually*  
30 *explicit material,] records are required by 18 U.S.C. § 2257 to be*  
31 *maintained with respect to any performer in such production* is not  
32 eligible for *noninfrastructure* transferable tax credits; and

33 ~~[(6) The requirements for notice pursuant to NRS 360.7595;]~~

34 (4) *Any necessary provisions to ensure compliance with the*  
35 *requirements of paragraph (d) of subsection 3 relating to*  
36 *workforce plans;* and

37 (b) May adopt any other regulations that are necessary to ~~[carry~~  
38 ~~out]~~ *ensure that* the provisions of NRS 360.758 to 360.7598,  
39 inclusive ~~[,]~~ *are carried out in a manner that is reasonable and*  
40 *customary within the industry for the production of qualified*  
41 *productions.*

42 ~~[9.]~~ 10. The Nevada Tax Commission and the Nevada Gaming  
43 Commission:

44 (a) Shall adopt regulations prescribing the manner in which  
45 *noninfrastructure* transferable tax credits will be administered.



(b) May adopt any other regulations that are necessary to carry out the *functions performed by each entity pursuant to the provisions of NRS 360.758 to 360.7598, inclusive.*

**Sec. 20.** NRS 360.7591 is hereby amended to read as follows:

360.7591 1. ~~[Qualified]~~ *Except as otherwise provided in subsection 3, qualified direct production expenditures that may serve as a basis for noninfrastructure transferable tax credits issued pursuant to NRS 360.759 must ~~[be for purchases,]~~:*

(a) *Be expenditures made during the period in which a qualified production is produced;*

(b) *Be customary and reasonable;*

(c) *Relate to a category of qualified expenditures and costs listed in subsection 2; and*

(d) *Be:*

(1) *Purchases, rentals or leases of tangible personal property or services from a Nevada business . ~~[during the period in which a qualified production is produced, must be customary and reasonable and]~~*

(2) *The payroll, including wages, salaries and fringe benefits, for Nevada residents or other personnel who provided services in this State, as included in the calculation of the amount of noninfrastructure transferable tax credits in accordance with subsection 6.*

(3) *Compensation paid to a producer, as included in the calculation of the amount of noninfrastructure transferable tax credits in accordance with subsection 6.*

(4) *Payments made to a qualified entity for services performed in this State by a qualified individual.*

2. *Expenditures or costs that may serve as a basis for calculating noninfrastructure transferable tax credits must relate to:*

(a) Set construction and operation;

(b) Wardrobe and makeup;

(c) Photography, sound and lighting;

(d) Filming, film processing and film editing;

(e) The rental or leasing of facilities, equipment and vehicles;

(f) Food and lodging;

(g) Editing, sound mixing, special effects, visual effects and other postproduction services;

(h) ~~[The payroll for Nevada residents or other personnel who provided services in this State;~~

~~—(i)]~~ Payment for goods or services provided by a Nevada business;



1 ~~[(j)]~~ (i) The design, construction, improvement or repair of  
2 property, infrastructure, equipment or a production or  
3 postproduction facility;

4 ~~[(k)]~~ (j) State and local government taxes to the extent not  
5 included as part of another cost reported pursuant to this section;

6 ~~[(l) Fees paid to a producer who is a Nevada resident; and  
7 —(m)] or~~

8 (k) Any other transaction, service or activity authorized in  
9 regulations adopted by the Office of Economic Development  
10 pursuant to NRS 360.759.

11 ~~[(2)]~~ 3. Expenditures and costs:

12 (a) Related to:

13 (1) The acquisition, transfer or use of *noninfrastructure*  
14 transferable tax credits;

15 (2) Marketing and distribution;

16 (3) Financing, depreciation and amortization;

17 (4) The payment of any profits as a result of the qualified  
18 production;

19 (5) The payment for the cost of the audit required by NRS  
20 360.759; and

21 (6) The payment for any goods or services that are not  
22 directly attributable to the qualified production;

23 (b) For which reimbursement is received, or for which  
24 reimbursement is reasonably expected to be received;

25 (c) Which are paid to a joint venturer or a parent, subsidiary or  
26 other affiliate of the production company, unless the amount paid  
27 represents the fair market value, *which may be represented by a*  
28 *rate sheet*, of the purchase, rental or lease of the property or services  
29 for which payment is made;

30 ~~[(d) Which provide a pass-through benefit to a person who is not  
31 a Nevada resident; or~~

32 ~~—(e)]~~ Which have been previously claimed as a basis for  
33 *noninfrastructure* transferable tax credits ~~[(h)]~~ *issued pursuant to*  
34 *NRS 360.759 or film infrastructure transferable tax credits issued*  
35 *pursuant to section 10 of this act,*

36 ↪ are not qualified direct production expenditures and are not  
37 eligible to serve as a basis for transferable tax credits issued  
38 pursuant to NRS 360.759.

39 ~~[(3)]~~ 4. If any tangible personal property is acquired by a  
40 Nevada business from a vendor outside this State for immediate  
41 resale, rental or lease to a production company that produces a  
42 qualified production, expenditures incurred by the production  
43 company for the purchase, rental or lease of the property are  
44 qualified direct production expenditures *only* if:



1 (a) The Nevada business regularly deals in property of that kind;  
2 *and*

3 (b) The expenditures are otherwise qualified direct production  
4 expenditures under the provisions of this section . ~~]; and~~

5 ~~—(c) Not more than 50 percent of the property purchased, rented~~  
6 ~~or leased by the production company for the qualified production is~~  
7 ~~acquired and purchased, rented or leased in the manner described in~~  
8 ~~this subsection. In making the calculation required by this~~  
9 ~~paragraph, the cost of any property that remains an asset of the~~  
10 ~~Nevada business after production of the qualified production has~~  
11 ~~ended must not be included in the calculation as property purchased,~~  
12 ~~rented or leased in the manner described in this subsection.~~

13 ~~—4.]~~ 5. If any tangible personal property is acquired by the  
14 production company as an asset, the calculation of the costs of the  
15 tangible personal property that constitute a qualified direct  
16 production expenditure must be performed in the manner prescribed  
17 by the Office ~~[of Economic Development]~~ by regulation.

18 6. *For the purposes of calculating qualified direct production*  
19 *expenditures:*

20 (a) *For an eligible production company that submitted the*  
21 *application for the certificate of eligibility for the*  
22 *noninfrastructure transferable tax credits before July 1, 2028, or*  
23 *on or after July 1, 2043:*

24 (1) *The compensation payable to all producers who are*  
25 *Nevada residents must not exceed 10 percent of the portion of the*  
26 *total budget of the qualified production that was expended in or*  
27 *attributable to any expenses incurred in this State.*

28 (2) *The compensation payable to all producers who are not*  
29 *Nevada residents must not exceed 5 percent of the portion of the*  
30 *total budget of the qualified production that was expended in or*  
31 *attributable to any expenses incurred in this State.*

32 (3) *The compensation payable to any employee, any*  
33 *independent contractor or any other person who is below-the-line*  
34 *personnel and who is paid a wage or salary as compensation for*  
35 *providing labor services on the production of the qualified*  
36 *production must not exceed \$750,000.*

37 (b) *For an eligible production company that submitted the*  
38 *application for the certificate of eligibility for the*  
39 *noninfrastructure transferable tax credits on or after July 1, 2028,*  
40 *and before July 1, 2043, the compensation payable to a producer*  
41 *must not exceed 10 percent of the portion of the total budget of the*  
42 *qualified production that was expended in or attributable to any*  
43 *expenses incurred in this State.*

44 7. *As used in this section:*



1 (a) *“Fringe benefits” means employee expenses paid by an*  
2 *employer for the use of the employee’s services, including, without*  
3 *limitation, payments made to a governmental entity, union dues,*  
4 *health insurance premiums, payments to a pension plan and*  
5 *payments for workers’ compensation insurance.*

6 (b) *“Qualified entity” means an entity that is:*

7 (1) *A personal service corporation, as defined in 26 U.S.C.*  
8 *§ 269A(b)(1), a payroll services corporation or any entity receiving*  
9 *payments for services performed in this State by a qualified*  
10 *individual; and*

11 (2) *Registered to conduct business pursuant to the laws of*  
12 *this State.*

13 (c) *“Qualified individual” means any natural person who*  
14 *performs services during the production period in an activity*  
15 *related to the production of a qualified production. The term does*  
16 *not include:*

17 (1) *Any natural person related to the production company*  
18 *or an employee of the production company, as described in*  
19 *subparagraph (A), (B) or (C) of 26 U.S.C. § 51(i)(1).*

20 (2) *Any 5-percent owner, as defined in 26 U.S.C. §*  
21 *416(i)(1)(B), of the production company.*

22 **Sec. 21.** NRS 360.7592 is hereby amended to read as follows:

23 360.7592 1. Except as otherwise provided in subsection 4  
24 and NRS 360.7593 and 360.7594, the base amount of  
25 *noninfrastructure* transferable tax credits issued to an eligible  
26 production company pursuant to NRS 360.759 :

27 (a) *For an eligible production company that submitted the*  
28 *application for the certificate of eligibility for the*  
29 *noninfrastructure transferable tax credits before July 1, 2028, or*  
30 *on or after July 1, 2043, must equal 15 percent of the qualified*  
31 *direct production expenditures.*

32 (b) *For an eligible production company that submitted the*  
33 *application for the certificate of eligibility for the*  
34 *noninfrastructure transferable tax credits on or after July 1, 2028,*  
35 *and before July 1, 2043, must equal 30 percent of the qualified*  
36 *direct production expenditures.*

37 2. Except as otherwise provided in subsections ~~[3]~~ 4 and ~~[4]~~ 5  
38 and NRS 360.7594, *if an eligible production company submitted*  
39 *the application for the certificate of eligibility for*  
40 *noninfrastructure transferable tax credits pursuant to NRS*  
41 *360.759 before July 1, 2028, or on or after July 1, 2043, in addition*  
42 *to the base amount calculated pursuant to paragraph (a) of*  
43 *subsection 1, the noninfrastructure transferable tax credits issued*  
44 *to ~~[an]~~ the eligible production company ~~[pursuant to NRS 360.759]~~*  
45 *must include credits in an amount equal to:*



1 (a) An additional 5 percent of the qualified direct production  
2 expenditures if more than 50 percent of the below-the-line personnel  
3 of the qualified production are Nevada residents; and

4 (b) An additional 5 percent of the qualified direct production  
5 expenditures if more than 50 percent of the filming days of the  
6 qualified production occurred in a county in this State in which, in  
7 each of the 2 years immediately preceding the date of application,  
8 qualified productions incurred less than \$10,000,000 of qualified  
9 direct production expenditures.

10 3. *Except as otherwise provided in subsections 5 and 6 and*  
11 *NRS 360.7594, if an eligible production company submitted the*  
12 *application for the certificate of eligibility for noninfrastructure*  
13 *transferable tax credits pursuant to NRS 360.759 on or after*  
14 *July 1, 2031, and before July 1, 2043, the Office shall reduce the*  
15 *cumulative amount of noninfrastructure transferable tax credits*  
16 *calculated pursuant to paragraph (b) of subsection 1:*

17 (a) *By 5 percent if less than 50 percent of the below-the-line*  
18 *personnel of the qualified production are Nevada residents.*

19 (b) *By 5 percent if the final assessment of the workforce plan*  
20 *submitted by the production company for the qualified production*  
21 *pursuant to paragraph (d) of subsection 3 of NRS 360.759 does*  
22 *not include documentation that at least two of the following*  
23 *requirements were met:*

24 (1) *The production company, distribution company or*  
25 *financing company for the qualified production offered training*  
26 *or work opportunities to members of traditionally*  
27 *underrepresented groups for the development of skills required for*  
28 *employment as below-the-line personnel or above-the-line*  
29 *personnel.*

30 (2) *Two or more persons who are members of a*  
31 *traditionally underrepresented group are employed on the*  
32 *qualified production as a casting director, cinematographer,*  
33 *composer, costume designer, director, editor, hairstylist, makeup*  
34 *artist, producer, production designer, set decorator, visual effects*  
35 *supervisor, writer, sound editor, sound effects editor, sound mixer,*  
36 *Foley artist or other similar personnel.*

37 (3) *Six or more persons who are members of a traditionally*  
38 *underrepresented group are employed on the qualified production*  
39 *in a technical role, including, without limitation, production*  
40 *assistant, first assistant director, gaffer, script supervisor, digital*  
41 *imaging technician or other similar role.*

42 (4) *Not less than 20 percent of the below-the-line personnel*  
43 *employed on the qualified production, not including background*  
44 *actors, are members of a traditionally underrepresented group.*



1 (5) *One or more entities affiliated with the production*  
2 *company or distribution company has a program of substantive,*  
3 *ongoing paid apprenticeships or internships that includes*  
4 *members of traditionally underrepresented groups in not less than*  
5 *three of the following departments:*

6 (I) *Production and development;*

7 (II) *Physical production;*

8 (III) *Postproduction;*

9 (IV) *Music;*

10 (V) *Visual effects;*

11 (VI) *Acquisitions;*

12 (VII) *Business affairs;*

13 (VIII) *Distribution; or*

14 (IX) *Marketing and publicity.*

15 4. *A reduction in the cumulative amount of noninfrastructure*  
16 *transferable tax credits required pursuant to subsection 3 must not*  
17 *reduce the amount of money transferred pursuant to subsection 7*  
18 *of NRS 360.759 to the Account for Nevada Film, Media and*  
19 *Related Technology Education and Vocational Training created*  
20 *by section 31 of this act.*

21 5. *The Executive Director of the Office shall waive a*  
22 *reduction in the cumulative amount of noninfrastructure*  
23 *transferable tax credits required pursuant to:*

24 (a) *Paragraph (a) of subsection 3 upon written proof to the*  
25 *Executive Director that the production company made a good*  
26 *faith effort to hire the required percentage of below-the-line*  
27 *personnel and there is an insufficient number of Nevada residents*  
28 *available and qualified for such employment.*

29 (b) *Paragraph (b) of subsection 3 upon written proof to the*  
30 *Executive Director that the production company made a good*  
31 *faith effort to meet the requirements of that paragraph and there*  
32 *is an insufficient number of persons available and qualified to*  
33 *meet the requirements.*

34 6. For the purposes of paragraph (a) of subsection 2 ~~f:~~  
35 ~~—(a) Except as otherwise provided in paragraph (b) of this~~  
36 ~~subsection,] and paragraph (a) of subsection 3,~~ the percentage of  
37 the below-the-line personnel who are Nevada residents must be  
38 determined by dividing the ~~[number of workdays worked by]~~ *total*  
39 *amount of wages and salaries paid to* Nevada residents *who are*  
40 *below-the-line personnel* by the ~~[number of workdays worked by]~~ *total*  
41 *amount of wages and salaries paid to* all below-the-line  
42 personnel.

43 ~~[(b) Any work performed by an extra must not be considered in~~  
44 ~~determining the percentage of the below the line personnel who are~~  
45 ~~Nevada residents.~~





1 ~~4. The~~

2 **7. Except as otherwise provided in subsection 8, the**  
3 **Executive Director of the Office may:**

4 (a) Reduce the cumulative amount of **noninfrastructure**  
5 transferable tax credits that are calculated pursuant to this section by  
6 an amount equal to any damages incurred by the State or any  
7 political subdivision of the State as a result of a qualified production  
8 that is produced in this State; or

9 (b) Withhold the **noninfrastructure** transferable tax credits, in  
10 whole or in part:

11 (1) Until any pending legal action in this State against a  
12 production company or involving a qualified production is resolved.

13 (2) If a production company violates any state or local law.

14 (3) If a production company is found to have **knowingly**  
15 submitted any false statement, representation or certification in any  
16 document submitted for the purpose of obtaining **noninfrastructure**  
17 transferable tax credits.

18 **8. Before taking any action authorized by subsection 7, the**  
19 **Executive Director of the Office shall:**

20 (a) **Consider any documentation submitted by the production**  
21 **company related to the action under consideration; and**

22 (b) **Make the following determinations:**

23 (1) **That good cause exists to take such action;**

24 (2) **That the action is reasonable based on the**  
25 **circumstances of the underlying incident on which the reduction**  
26 **or withholding of noninfrastructure transferable tax credits**  
27 **authorized pursuant to subsection 7 is based; and**

28 (3) **The amount of any reduction or withholding of**  
29 **noninfrastructure transferable tax credits authorized pursuant to**  
30 **subsection 7 is commensurate with severity of the underlying**  
31 **incident on which the reduction or withholding is based.**

32 **9. As used in this section:**

33 (a) **“Racial or ethnic minority” means persons who are:**

34 (1) **Asian;**

35 (2) **Hispanic or Latino;**

36 (3) **Black or African American;**

37 (4) **Indigenous, Native American or Alaskan Native;**

38 (5) **Middle Eastern or North African;**

39 (6) **Native Hawaiian;**

40 (7) **Pacific Islander; or**

41 (8) **A member of any other underrepresented racial or**  
42 **ethnic minority group.**

43 (b) **“Traditionally underrepresented group” means:**

44 (1) **Women;**

45 (2) **A racial or ethnic minority group;**





1 (3) A group of persons who identify as LGBTQ, which  
2 means lesbian, gay, bisexual, transgender, queer, intersex or any  
3 other nonheterosexual or noncisgender orientation or gender  
4 identity or expression;

5 (4) A group of persons with disabilities, as defined in  
6 NRS 426.068;

7 (5) Veterans;

8 (6) Persons who are currently serving on active duty in the  
9 Armed Forces of the United States; or

10 (7) Persons who were previously incarcerated in a jail or  
11 prison.

12 (c) "Veteran" means a person who has served in the Armed  
13 Forces of the United States, a reserve component thereof or the  
14 National Guard and was separated from such service under  
15 conditions other than dishonorable.

16 **Sec. 22.** NRS 360.7593 is hereby amended to read as follows:

17 360.7593 1. ~~[(a)]~~ For an eligible production company that  
18 submitted the application for the certificate of eligibility for the  
19 noninfrastructure transferable tax credits before July 1, 2028, or  
20 on or after July 1, 2043, in calculating the base amount of  
21 noninfrastructure transferable tax credits pursuant to subsection 1  
22 of NRS 360.7592:

23 (a) Wages and salaries, including fringe benefits, paid to above-  
24 the-line personnel who are not Nevada residents must be included in  
25 the calculation at a rate of 12 percent.

26 (b) Wages and salaries, including fringe benefits, paid to below-  
27 the-line personnel who are not Nevada residents ~~[-~~

28 ~~—(1) For the period beginning January 1, 2014, and ending~~  
29 ~~December 31, 2014, must be included in the calculation at a rate of~~  
30 ~~12 percent.~~

31 ~~—(2) For the period beginning January 1, 2015, and ending~~  
32 ~~December 31, 2015, must be included in the calculation at a rate of~~  
33 ~~10 percent.~~

34 ~~—(3) For the period beginning January 1, 2016, and ending~~  
35 ~~December 31, 2016, must be included in the calculation at a rate of~~  
36 ~~8 percent.~~

37 ~~—(4) For the period beginning January 1, 2017,]~~ must not be  
38 included in the calculation.

39 2. As used in this section, "fringe benefits" means employee  
40 expenses paid by an employer for the use of a person's services,  
41 including, without limitation, payments made to a governmental  
42 entity, union dues, health insurance premiums, payments to a  
43 pension plan and payments for workers' compensation insurance.



1       **Sec. 23.** NRS 360.7594 is hereby amended to read as follows:  
2       360.7594 1. Except as otherwise provided in this subsection,  
3 the Office of Economic Development shall not approve any  
4 application for *noninfrastructure* transferable tax credits submitted  
5 pursuant to NRS 360.759 if approval of the application would cause  
6 the total amount of *noninfrastructure* transferable tax credits  
7 approved pursuant to NRS 360.759 for each ~~[[fiscal]]~~ :

8       (a) *Fiscal year commencing before July 1, 2028, or on or after*  
9 *July 1, 2043, to exceed the sum of \$10,000,000. ~~[[Any]] Except as~~*  
10 *otherwise provided in this paragraph, any* portion of the  
11 \$10,000,000 per fiscal year for which *noninfrastructure*  
12 transferable tax credits have not previously been approved may be  
13 carried forward and made available for approval during the next or  
14 any future fiscal year. *Noninfrastructure transferable tax credits*  
15 *that are available for approval for a fiscal year commencing*  
16 *before July 1, 2028, but have not been approved for a fiscal year*  
17 *commencing before July 1, 2028, must not be carried forward and*  
18 *made available for approval during any fiscal year commencing*  
19 *on or after July 1, 2028.*

20       (b) *Fiscal year commencing on or after July 1, 2028, and*  
21 *before July 1, 2043, to exceed the sum of \$25,000,000. An amount*  
22 *not to exceed 50 percent of the \$25,000,000 per fiscal year for*  
23 *which noninfrastructure transferable tax credits have not*  
24 *previously been approved may be carried forward and made*  
25 *available for approval during the next or any future fiscal year.*

26       2. ~~[[The]]~~ *For an eligible production company that submitted*  
27 *the application for the certificate of eligibility for the*  
28 *noninfrastructure transferable tax credits before July 1, 2028, or*  
29 *on or after July 1, 2043, the noninfrastructure* transferable tax  
30 credits issued to any production company for any qualified  
31 production pursuant to NRS 360.759:

32       (a) Must not exceed a total amount of \$6,000,000; and

33       (b) Expire ~~[[4]]~~ *at the end of the calendar year that is 6* years  
34 after the date on which the *noninfrastructure* transferable tax  
35 credits are issued to the production company.

36       3. For ~~[[the purposes of calculating qualified direct production~~  
37 ~~expenditures:~~

38 ~~—(a) The compensation payable to all producers who are Nevada~~  
39 ~~residents must not exceed 10 percent of the portion of the total~~  
40 ~~budget of the qualified production that was expended in or~~  
41 ~~attributable to any expenses incurred in this State.~~

42 ~~—(b) The compensation payable to all producers who are not~~  
43 ~~Nevada residents must not exceed 5 percent of the portion of the~~  
44 ~~total budget of the qualified production that was expended in or~~  
45 ~~attributable to any expenses incurred in this State.~~



1 ~~—(c) The compensation payable to any employee, independent~~  
2 ~~contractor or any other person paid a wage or salary as~~  
3 ~~compensation for providing labor services on the production of the~~  
4 ~~qualified production must not exceed \$750,000.]~~ *an eligible*  
5 *production company that submitted the application for the*  
6 *certificate of eligibility for the noninfrastructure transferable tax*  
7 *credits on or after July 1, 2028, and before July 1, 2043, the*  
8 *noninfrastructure transferable tax credits issued to the production*  
9 *company for a qualified production pursuant to NRS 360.759*  
10 *expire at the end of the calendar year that is 6 years after the date*  
11 *on which the noninfrastructure transferable tax credits are issued*  
12 *to the production company.*

13 **Sec. 24.** NRS 360.7595 is hereby amended to read as follows:

14 360.7595 1. ~~[If the Office of Economic Development~~  
15 ~~receives an application for transferable tax credits pursuant to NRS~~  
16 ~~360.759, the Office shall, not later than 10 days before a hearing on~~  
17 ~~the application, provide notice of the hearing to:~~

18 ~~—(a) The applicant;~~

19 ~~—(b) The Department; and~~

20 ~~—(c) The Nevada Gaming Control Board.~~

21 ~~—2. The notice required by this section must set forth the date,~~  
22 ~~time and location of the hearing on the application. The date of the~~  
23 ~~hearing must be not later than 60 days after the Office receives the~~  
24 ~~completed application.~~

25 ~~—3. The Office shall issue a decision on the application not later~~  
26 ~~than 30 days after the conclusion of the hearing on the application.~~

27 ~~—4.]~~ Except as otherwise provided in this subsection, if ~~[the]~~ *an*  
28 *application for noninfrastructure transferable tax credits* is  
29 approved ~~[ ]~~ *pursuant to NRS 360.759*, principal photography of the  
30 qualified production must begin not more than 90 days after the date  
31 on which the decision on the application is issued. The Office : ~~[of~~  
32 ~~Economic Development:]~~

33 (a) Shall prescribe by regulation the procedure for determining  
34 the date of commencement of qualified productions that do not  
35 include photography for the purposes of this section.

36 (b) May extend by not more than 90 days the period otherwise  
37 prescribed by this subsection ~~[ ]~~, *except that in the case of a force*  
38 *majeure, the Office may extend the period for more than 90 days.*

39 ~~[5.]~~ 2. A production company that produces a qualified  
40 production shall submit the *final assessment of the workforce plan,*  
41 *the* audit required by NRS 360.759 and all other required  
42 information to the Office and the Department within the time  
43 required by paragraph (d) or (e) of subsection 3 of NRS 360.759 ~~[ ]~~,  
44 *as applicable.* Production of the qualified production must be  
45 completed within 18 months after the date of commencement of



1 principal photography. If the Office or the Department determines  
2 that information submitted pursuant to this subsection is incomplete,  
3 the production company shall, not later than 30 days after receiving  
4 notice that the information is incomplete, provide to the Office or  
5 the Department, as applicable, all additional information required by  
6 the Office or the Department.

7 ~~6.~~ 3. The Office shall give priority to the approval and  
8 processing of an application relating to a qualified production that  
9 promotes tourism in the State of Nevada.

10 **Sec. 25.** NRS 360.7598 is hereby amended to read as follows:

11 360.7598 The Office of Economic Development shall, on or  
12 before October 1 of each year, prepare and submit to the Governor  
13 and to the Director of the Legislative Counsel Bureau for transmittal  
14 to the Legislature an annual report which includes, for the  
15 immediately preceding fiscal year:

16 1. The number of applications submitted for *noninfrastructure*  
17 transferable tax credits pursuant to NRS 360.759;

18 2. The number of qualified productions for which  
19 *noninfrastructure* transferable tax credits were approved;

20 3. The amount of *noninfrastructure* transferable tax credits  
21 approved;

22 4. The amount of *noninfrastructure* transferable tax credits  
23 used;

24 5. The amount of *noninfrastructure* transferable tax credits  
25 transferred;

26 6. The amount of *noninfrastructure* transferable tax credits  
27 taken against each allowable fee or tax, including the actual amount  
28 used and outstanding, in total and for each qualified production;

29 7. The ~~total~~ *aggregate* amount of the qualified direct  
30 production expenditures incurred by ~~each~~ qualified ~~production~~  
31 *productions* and the portion of those expenditures that were incurred  
32 in Nevada;

33 8. The *aggregate* number of persons in Nevada employed by  
34 ~~each~~ qualified ~~production and~~ *productions*, the *aggregate*  
35 amount of wages paid to those persons ~~;~~ *and aggregated*  
36 *demographic information concerning those persons*; and

37 9. The period during which each qualified production was in  
38 Nevada and employed persons in Nevada.

39 **Sec. 26.** Chapter 231 of NRS is hereby amended by adding  
40 thereto the provisions set forth as sections 27 to 33, inclusive, of this  
41 act.

42 **Sec. 27.** *As used in sections 27 to 33, inclusive, of this act,*  
43 *unless the context otherwise requires, the words and terms defined*  
44 *in sections 28, 29 and 30 of this act have the meanings ascribed to*  
45 *them in those sections.*



1     **Sec. 28.** *“Account” means the Account for Nevada Film,*  
2 *Media and Related Technology Education and Vocational*  
3 *Training created by section 31 of this act.*

4     **Sec. 29.** *“Board” means the Board for Nevada Film, Media*  
5 *and Related Technology Education and Vocational Training*  
6 *created by section 32 of this act.*

7     **Sec. 30.** *“Nevada Partners Vocational Training Studio” has*  
8 *the meaning ascribed to it in section 6 of this act.*

9     **Sec. 31.** 1. *The Account for Nevada Film, Media and*  
10 *Related Technology Education and Vocational Training is hereby*  
11 *created in the State General Fund. The Executive Director of the*  
12 *Office of Economic Development, at the direction of the Board,*  
13 *shall administer the Account.*

14     2. *The Executive Director may apply for and accept gifts,*  
15 *grants, bequests and donations from any source for deposit in the*  
16 *Account.*

17     3. *The Account consists of:*

18     (a) *Money transferred to the Account pursuant to NRS*  
19 *360.759 and section 10 of this act.*

20     (b) *Any direct legislative appropriations to the Account.*

21     (c) *Any gifts, grants, bequests and donations made to the*  
22 *Account.*

23     (d) *Interest and income earned on money in the Account.*

24     4. *The interest and income earned on the money in the*  
25 *Account, after deducting any applicable charges, must be credited*  
26 *to the Account.*

27     5. *Any money remaining in the Account at the end of the*  
28 *fiscal year does not revert to the State General Fund, and the*  
29 *balance in the Account must be carried forward to the next fiscal*  
30 *year.*

31     6. *Money in the Account must be used by the Office to make*  
32 *grants to any institution within the Nevada System of Higher*  
33 *Education, a state or local agency, a school district, a charter*  
34 *school, a vocational trade school, a nonprofit organization, a labor*  
35 *organization or a private postsecondary educational institution*  
36 *that provides a program of workforce development for the*  
37 *production of qualified productions in this State. Thirty percent of*  
38 *the money which is distributed from the Account in the form of*  
39 *grants must be allocated to the Nevada Partners Vocational*  
40 *Training Studio for the operation and overhead costs of the*  
41 *Nevada Partners Vocational Training Studio. Seventy percent of*  
42 *the money which is distributed from the Account in the form of*  
43 *grants must be allocated to educational and vocational training*  
44 *organizations pursuant to section 33 of this act for the purpose of*



1 *providing programs of workforce development for the production*  
2 *of qualified productions in this State.*

3 *7. As used in this section, “qualified production” has the*  
4 *meaning ascribed to it in NRS 360.7586.*

5 **Sec. 32. 1.** *There is hereby created the Board for Nevada*  
6 *Film, Media and Related Technology Education and Vocational*  
7 *Training within the Office of Economic Development in the Office*  
8 *of the Governor, consisting of the following voting members:*

9 *(a) One member appointed by the Governor;*

10 *(b) One member, who must not be a Legislator, appointed by*  
11 *the Majority Leader of the Senate;*

12 *(c) One member, who must not be a Legislator, appointed by*  
13 *the Speaker of the Assembly;*

14 *(d) One member, who must not be a Legislator, appointed by*  
15 *the Minority Leader of the Senate;*

16 *(e) One member, who must not be a Legislator, appointed by*  
17 *the Minority Leader of the Assembly;*

18 *(f) One member appointed by the Governor from a nominee*  
19 *selected by the lead participant in the Summerlin Production*  
20 *Studios Project;*

21 *(g) One member appointed by the Governor from a nominee*  
22 *selected by the Southern Nevada Enterprise Community Board to*  
23 *represent the interests of the Nevada Partners Vocational Training*  
24 *Studio;*

25 *(h) One member appointed by the Board of Regents of the*  
26 *University of Nevada; and*

27 *(i) The President of the University of Nevada, Las Vegas, or*  
28 *his or her designee.*

29 *2. In appointing members to the Board pursuant to*  
30 *subsection 1, the appointing authorities set forth in that subsection*  
31 *shall coordinate to ensure that both the public and private sectors*  
32 *are represented on the Board.*

33 *3. The members appointed pursuant to paragraphs (a), (c),*  
34 *(e) and (g) of subsection 1 must be appointed to an initial term of 2*  
35 *years commencing on January 1, 2028, and the members*  
36 *appointed pursuant to paragraphs (b), (d), (f) and (h) of*  
37 *subsection 1 must be appointed to an initial term of 4 years*  
38 *commencing on January 1, 2028. After the initial terms, each*  
39 *appointed member shall serve a term of 4 years. Each appointed*  
40 *member serves at the pleasure of the person appointing that*  
41 *member pursuant to subsection 1. If, for any reason, a vacancy*  
42 *occurs during the term of an appointed member, the person who is*  
43 *responsible for making the appointment pursuant to subsection 1*  
44 *shall appoint a replacement qualified pursuant to that subsection*



1 *to serve for the remainder of the unexpired term. Each appointed*  
2 *member may serve not more than three consecutive full terms.*

3 *4. At the first meeting of each fiscal year, the Board shall*  
4 *elect from among its members a Chair and a Vice Chair. The*  
5 *Executive Director of the Office of Economic Development shall*  
6 *serve as the nonvoting Secretary of the Board.*

7 *5. A majority of the voting members of the Board constitutes*  
8 *a quorum, and the affirmative vote of a majority of the voting*  
9 *members of the Board is required to exercise any power conferred*  
10 *on the Board.*

11 *6. The Board shall meet at least twice each calendar year but*  
12 *may meet more often at the call of the Chair or a majority of the*  
13 *voting members of the Board.*

14 *7. The members of the Board serve without compensation but*  
15 *are entitled to receive the per diem allowance and travel expenses*  
16 *provided for state officers and employees generally while engaged*  
17 *in the official business of the Board.*

18 *8. A member of the Board who is an officer or employee of*  
19 *this State or a political subdivision of this State must be relieved*  
20 *from duties without loss of regular compensation so that the*  
21 *officer or employee may prepare for and attend meetings of the*  
22 *Board and perform any work necessary to carry out the duties of*  
23 *the Board in the most timely manner practicable. A state agency or*  
24 *political subdivision of this State shall not require an officer or*  
25 *employee who is a member of the Board to make up the time the*  
26 *officer or employee is absent from work to carry out duties as a*  
27 *member of the Board or use annual vacation or compensatory*  
28 *time for the absence.*

29 *9. As used in this section:*

30 *(a) "Southern Nevada Enterprise Community Board" means*  
31 *the Southern Nevada Enterprise Community Board created by*  
32 *section 8 of the Southern Nevada Enterprise Community*  
33 *Infrastructure Improvement Act.*

34 *(b) "Summerlin Production Studios Project" has the meaning*  
35 *ascribed to it in section 8 of this act.*

36 **Sec. 33. 1. The Board shall establish:**

37 *(a) The procedures for a person or entity to apply for a grant*  
38 *of money from the Account;*

39 *(b) The criteria to be used to determine whether to approve an*  
40 *application for a grant from the Account to an applicant; and*

41 *(c) The requirements for reports by recipients of grants from*  
42 *the Account concerning the expenditures made from the grant, the*  
43 *outcomes of the programs supported by the grant, demographic*  
44 *data concerning the participants in the programs supported by the*  
45 *grant and any other information deemed necessary by the Board.*





1       2. *The Executive Director of the Office of Economic*  
2 *Development may provide advice and recommendations regarding*  
3 *the procedures, criteria and requirements established by the Board*  
4 *pursuant to subsection 1.*

5       3. *The Office shall not make a grant of money from the*  
6 *Account unless the Board has approved the application for the*  
7 *grant.*

8       4. *A recipient of a grant must adopt and implement a*  
9 *community benefits program, which must include, without*  
10 *limitation:*

11       (a) *A commitment to workforce diversity, inclusiveness, access*  
12 *and equality, including, without limitation, for underserved*  
13 *communities, minority groups and veterans;*

14       (b) *An explanation of the actions that will be taken and*  
15 *strategies that will be implemented to promote workforce diversity;*  
16 *and*

17       (c) *The goals and performance measures which will be used to*  
18 *measure the success of the program in achieving those goals.*

19       **Sec. 34.** The provisions of subsection 1 of NRS 218D.380 do  
20 not apply to any provision of this act which adds or revises a  
21 requirement to submit a report to the Legislature.

22       **Sec. 35.** The Office of Economic Development, the Nevada  
23 Gaming Commission and the Nevada Tax Commission shall each  
24 adopt such regulations as are respectively required to implement the  
25 provisions of this act on or before October 1, 2025.

26       **Sec. 36.** The Legislative Counsel shall:

27       1. In preparing the Nevada Revised Statutes, use the authority  
28 set forth in subsection 10 of NRS 220.120 to substitute  
29 appropriately the term “noninfrastructure transferable tax credits” in  
30 NRS 360.758 to 360.7598, inclusive, for the term “transferable tax  
31 credits” as previously used in those sections.

32       2. In preparing supplements to the Nevada Administrative  
33 Code, substitute appropriately the term “noninfrastructure  
34 transferable tax credits” in NAC 360.800 to 360.865, inclusive, for  
35 the term “transferable tax credits” as previously used in those  
36 sections.

37       **Sec. 37.** This act becomes effective upon passage and  
38 approval, and expires by limitation on June 30, 2049.

