

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 99**

Introduced by Coash, 27; Cornett, 45; Hadley, 37; Karpisek, 32;  
Lathrop, 12; Louden, 49; McGill, 26; Mello, 5;  
Nordquist, 7; Schilz, 47; Wallman, 30.

Read first time January 06, 2011

Committee: Revenue

A BILL

1 FOR AN ACT relating to the Department of Economic Development; to  
2 amend section 13-2704, Revised Statutes Cumulative  
3 Supplement, 2010; to adopt the Nebraska Film Advantage  
4 Act; to provide for transfers from the Local Civic,  
5 Cultural, and Convention Center Financing Fund; to  
6 provide a termination date; to repeal the original  
7 section; and to declare an emergency.

8 Be it enacted by the people of the State of Nebraska,

1           Section 1. Sections 1 to 5 of this act shall be known and  
2 may be cited as the Nebraska Film Advantage Act.

3           Sec. 2. Any public or private nonresident production  
4 company temporarily on location in the State of Nebraska producing a  
5 feature film may apply for a grant of assistance under the Nebraska  
6 Film Advantage Act. To be eligible for a grant under the act, the  
7 production company shall:

8                   (1) Have spent five hundred thousand dollars or have a  
9 budget of more than five hundred thousand dollars that is intended to  
10 be spent in this state;

11                   (2) Have at least ten employees that are Nebraska  
12 residents and are working or are planning to work on the set or in  
13 the production of the film in this state; and

14                   (3) Provide matching funds equal to the amount of the  
15 grant assistance.

16           Sec. 3. (1) The Department of Economic Development shall  
17 accept grant applications under the Nebraska Film Advantage Act on  
18 forms provided by and containing such criteria as required by the  
19 department. The department shall determine the applicant's  
20 eligibility based on the requirements in section 2 of this act. If  
21 the application is approved after thorough review by the department,  
22 the grant funds shall be disbursed from the Nebraska Film Advantage  
23 Fund to the production company. Each production company shall be  
24 eligible for up to one million dollars in grant funds under the act,  
25 except that only five hundred thousand dollars in grant funds may be

1 disbursed under the act for each project.

2 (2) A representative of the production company shall be  
3 required to submit an affidavit to the department after production of  
4 the film is completed certifying that the requirements in section 2  
5 of this act were met, the credits of the film include an  
6 acknowledgment that the film or a portion thereof was filmed in  
7 Nebraska, and the film received a rating of G - General Audiences, PG  
8 - Parental Guidance Suggested, PG-13 - Parents Strongly Cautioned, or  
9 R - Restricted. If the department then determines that any  
10 requirement of this subsection or section 2 of this act was not met,  
11 the production company shall reimburse the department the amount of  
12 grant funds that were disbursed.

13 Sec. 4. The Nebraska Film Advantage Fund is created.  
14 Money shall be credited to the fund from the Local Civic, Cultural,  
15 and Convention Center Financing Fund. Disbursements from the Nebraska  
16 Film Advantage Fund may be made pursuant to the Nebraska Film  
17 Advantage Act. Any money in the Nebraska Film Advantage Fund  
18 available for investment shall be invested by the state investment  
19 officer pursuant to the Nebraska Capital Expansion Act and the  
20 Nebraska State Funds Investment Act.

21 Sec. 5. The Nebraska Film Advantage Act terminates on  
22 June 30, 2012.

23 Sec. 6. Section 13-2704, Revised Statutes Cumulative  
24 Supplement, 2010, is amended to read:

25 13-2704 (1) The Local Civic, Cultural, and Convention

1 Center Financing Fund is created. The fund shall be administered by  
2 the department. Transfers may be made from the fund to the General  
3 Fund at the direction of the Legislature. Any money in the Local  
4 Civic, Cultural, and Convention Center Financing Fund available for  
5 investment shall be invested by the state investment officer pursuant  
6 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
7 Investment Act. The fund may be used for assistance for the  
8 construction of new centers or the renovation or expansion of  
9 existing centers. The fund may not be used for planning, programming,  
10 marketing, advertising, and related activities. Transfers may be made  
11 from the fund to the Nebraska Film Advantage Fund at the direction of  
12 the department until June 30, 2012. Transfers may be made from the  
13 ~~fund Local, Civic, Cultural, and Convention Center Financing Fund to~~  
14 the Department of Revenue Enforcement Fund at the direction of the  
15 Legislature.

16 ~~(2) On July 1, 2010, or as soon thereafter as is~~  
17 ~~administratively possible the State Treasurer shall transfer seventy-~~  
18 ~~nine thousand three hundred dollars from the Local Civic, Cultural,~~  
19 ~~and Convention Center Financing Fund to the Department of Revenue~~  
20 ~~Enforcement Fund.~~

21 ~~(3)-(2)~~ It is the intent of the Legislature that on July  
22 1, 2011, or as soon thereafter as is administratively possible the  
23 State Treasurer shall transfer forty-two thousand nine hundred  
24 dollars from the Local Civic, Cultural, and Convention Center  
25 Financing Fund to the Department of Revenue Enforcement Fund.

1                   Sec. 7. Original section 13-2704, Revised Statutes  
2 Cumulative Supplement, 2010, is repealed.

3                   Sec. 8. Since an emergency exists, this act takes effect  
4 when passed and approved according to law.