

Film Production Incentive Application

INSTRUCTIONS: This form, and the Film Production Incentive Agreement, must be completed by all applicants planning to apply for the Michigan Film Production Incentive. These forms must be approved by the Michigan Film Office and the State Treasurer **before** the applicant will be eligible for these incentives.

PART 1: GENERAL INFORMATION			
1. Name of Production Company (Applicant)		2. Federal Tax Identification Number or MI Treasury No.	
Address (Street/P.O. Box)		City, State, ZIP Code	
Telephone Number	Fax Number	E-mail Address	
3. Doing Business As (If Applicable)		Telephone Number	
Address (Street/P.O. Box)		City, State, ZIP Code	
4. Applicant Type			
<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Other: _____			
<input type="checkbox"/> S-Corporation <input type="checkbox"/> LLC - taxed as a corporation			
<input type="checkbox"/> C-Corporation <input type="checkbox"/> LLC - taxed as a partnership			
5. Name of Person Completing Application		Telephone Number	E-mail Address
Address of Person Completing Application (Street, P.O. Box, City, State, ZIP Code)		Fax Number	
6. Estimated Michigan Production Expenditures (Must be the same as line 25)			
7a. Projected number of Michigan hires during the project (must be broken down by job type and estimated pay scales). Attach additional sheets if necessary.		7b. Projected number of non-Michigan hires during the project (not residents of Michigan at least 60 days before approval of the agreement)	
8. Address of Michigan Office(s) (If different from applicant above). Include P.O. Box, City, State and ZIP Code.			
9. Does the company carry General Liability Insurance in the amount of \$1 million or higher? Include a copy of the certificate of insurance with this application, either by electronic attachment or by mail.			
<input type="checkbox"/> Yes <input type="checkbox"/> No			
10. Check ONE of the following which describes this production.			
<input type="checkbox"/> Motion Picture	<input type="checkbox"/> Interactive Television	<input type="checkbox"/> Video	<input type="checkbox"/> Pilot
<input type="checkbox"/> Documentary	<input type="checkbox"/> Music Videos	<input type="checkbox"/> Digital Animation	<input type="checkbox"/> Video Teaser
<input type="checkbox"/> Television Series	<input type="checkbox"/> Interactive Games	<input type="checkbox"/> An Interactive Website **	
<input type="checkbox"/> Television Miniseries	<input type="checkbox"/> Video Games	<input type="checkbox"/> Trailer or Commercial promoting a State Certified Qualified Production	
<input type="checkbox"/> Television Special	<input type="checkbox"/> Internet Programming	<input type="checkbox"/> Demo created primarily to stimulate the sale, marketing, promotion or exploitation of future investment in a certified production.	
<input type="checkbox"/> Interstitial Television Programming	<input type="checkbox"/> Internet Video		
<input type="checkbox"/> Long-form Television	<input type="checkbox"/> Sound Recording *		
<p>NOTE: Production cannot be: (1) A production that includes obscene matter or an obscene performance; 2) A production that primarily consists of televised news or current events; 3) A production that primarily consists of a live sporting event; 4) A production that primarily consists of political advertising; 5) A radio program; 6) A weather show; 7) A financial market report; 8) A talk show; 9) A game show; 10) A commercial unless it is a commercial for a state certified qualified production; 11) An awards show or other gala event production; 12) A production with the primary purpose of fund-raising; 13) A production that primarily is for employee training or in-house corporate advertising or other similar production.</p> <p>* Sound recordings that have audio portions spoken and recorded as part of a motion picture, video, theatrical production, television news coverage or athletic event are excluded.</p> <p>** This excludes interactive Web sites that are primarily used for institutional, private, industrial, retail or wholesale marketing or promotional purposes.</p>			
11. Production Location(s)		<input type="checkbox"/> Core Community	<input type="checkbox"/> Non-Core Community
12. Project Title			

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13. List the full names of the key personnel associated with this production project to date.		
Director	Production Coordinator	Executive Producer(s)
Location Manager	Director of Photography	Production Designer/Art Director
Producer(s)		
Principal Actor(s)		
14. Has financing been completed for this production project? <input type="checkbox"/> Yes <input type="checkbox"/> No		15. Has financing been authorized ("green lighted") by the entity financing this production project? <input type="checkbox"/> Yes <input type="checkbox"/> No
16. Date the production office is expected to be operating in Michigan (Month/Year)		17. Date when principal photography will begin in Michigan (Month/Year)
18. Estimated Number of days of principal photography in Michigan		19. Will this production be available for a Michigan premiere? <input type="checkbox"/> Yes <input type="checkbox"/> No

APPLICANT'S ACCOUNT INFORMATION

20. Chief Internal Accountant

Name		Address	
City		State	ZIP Code
Telephone Number	Fax Number	E-mail Address	

21. Firm of Independent Certified Public Accountants or Bond Company

Name		Address	
City		State	ZIP Code
Telephone Number	Fax Number	E-mail Address	

22. Payroll Service

Name		Address	
City		State	ZIP Code
Telephone Number	Fax Number	E-mail Address	

23. Production Accountant

Name		Address	
City		State	ZIP Code
Telephone Number	Fax Number	E-mail Address	

24. List your expected expenses for this Michigan project. Include only your estimated costs for in-state "direct production expenditures" (i.e., rental/purchase of Michigan equipment, materials, products and services, above-the-line wages and salaries and Michigan below-the-line wages and salaries) and "qualified personnel expenditures" (i.e., non-Michigan below-the-line wages and salaries). Attach additional sheets if necessary.

PROJECT ITEM	COST	PROJECT ITEM	COST
Above-the-Line Labor Wages/Salaries		Michigan Food/Restaurant Expenses	
Michigan Below-the-Line Labor Wages/Salaries		Michigan Equipment Rental/Purchase	
Non-Michigan Below-the-Line Labor Wages/Salaries		Michigan Location Fees	
Michigan Lodging Expenses		Michigan Materials Rental/Purchase (Set Construction, Wardrobe, etc.)	
Michigan Building(s) Rental			
Michigan Contracted Services (Casting, Security, etc. Itemize separately.)			FILM OFFICE USE ONLY
			Production Project Number

OTHER PROJECT ITEMS	COST	OTHER PROJECT ITEMS	COST
Michigan		Michigan	
		25. Total estimated Michigan production expenditures (Must be a minimum of \$50,000)	
		26. Total estimated project budget	
		27. Incentive amount anticipated	

28. The Michigan Film Office and State Treasurer must consider all of the following in deciding whether to enter into an agreement. Briefly explain how each of the criteria applies to your production:

28a. In the absence of the credit the qualified production will be produced in a location other than Michigan.

28b. The extent to which the qualified production may have the effect of promoting Michigan as a tourist destination.

28c. The extent to which the qualified production may have the effect of promoting economic development or job creation in Michigan.

28d. The record of the eligible production company in completing commitments to engage in qualified productions. Include all productions, by production name and state of location, the company has completed within the last two (2) years that substantially meet the standard of a "state certified qualified production" in the Michigan Business Tax Act at MCL 208.1455(12)(k).

29. The Production Company agrees that in claiming the credit under section 455 of the Michigan Business Tax Act, it will not use the same expenses to claim a credit under sections 457 and 459 of the Michigan Business Tax Act or Section 367 of the Income Tax Act of 1967. Agree

The Production Company shall provide the Michigan Film Office with the information and independent certification the Michigan Film Office and the Department of Treasury deem necessary to verify direct production expenditures, qualified personnel expenditures and eligibility for the credit. Check if the applicant so agrees to this requirement. Agree

Information and records submitted by a production company to the Michigan Film Office under the Michigan Film Production Incentive Credit as provided by the Michigan Business Tax Act shall be considered confidential and exempt from disclosure under the Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246, to the extent that they describe the commercial and financial operations or intellectual property of the company, they have not been publicly disseminated at any time, and their disclosure might put the company at a competitive disadvantage. **A company submitting materials must specifically designate any information and records that the company deems confidential by stamping or marking each page of information with the legend "Confidential." Items other than printed documents must be marked "Confidential" in a conspicuous manner appropriate to the items in question. Any information or records submitted by a company that is not specifically designated by the submitting company as confidential shall be treated as public information and subject to release by the Michigan Film Office.**

30. Additional documentation to be supplied by Applicant. This application will not be considered by the Michigan Film Office until all materials are received:

- a. Recent financial statement of Applicant or, if Applicant is a newly-formed entity, recent financial statement of Applicant's parent or controlling entity.
- b. Detailed budget for entire production, including non-Michigan expenditures.
- c. Details regarding how the production will be financed, including binding financing commitment such as loan agreement or commitment letter.
- d. List of Applicant's officers or principals and list of officers or principals of Applicant's parent or controlling entity.
- e. Details regarding Applicant's (or, if Applicant is a newly-formed entity, Applicant's parent's or controlling entity's) background and its record of completing productions that substantially meet the standard of a "qualified production" under section 455(12)(k) of the Michigan Business Tax Act. The following information must be included:
 - i. General industry reputation.
 - ii. Number of completed productions.
 - iii. Number of incomplete productions and reasons for noncompletion.
 - iv. Creditworthiness and history with financial backers and lenders.
 - v. Delinquencies of Applicant, subsidiaries, parent, and affiliates.
 - vi. History of wage and hour violations.
 - vii. History of labor relations and union activity (i.e., strikes, lock-outs).
 - viii. History of paying vendors and compliance with agreements.

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<input type="checkbox"/> I certify that I am an authorized representative of the applicant and as such am authorized to make the statement of affirmation contained herein.	
<input type="checkbox"/> I hereby agree to allow representatives of the Michigan Film Office and the Michigan Department of Treasury access to the property and applicable records as may be necessary for the administration of the Film Production Incentive Credit as provided by MCL 208.1455.	
I certify the following are all of the entities under common control of, affiliated with, or controlling the production company: <input type="checkbox"/>	
<input type="checkbox"/> I certify, under penalties of perjury, that the statements and information contained in this application and attachments are complete, true, and correct to the best of my knowledge and belief.	
<input type="checkbox"/> I certify that the applicant listed in this application is not delinquent in a tax or other obligation owed to the State of Michigan nor is owned or under common control of an entity that is delinquent in a tax or other obligation owed to the State of Michigan.	
<input type="checkbox"/> I certify that the applicant listed in this application is not an entity that is more than 30% owned, affiliated, or controlled by an entity or individual who is in default on a loan made by the State of Michigan, a loan guaranteed by the State of Michigan, or a loan made or guaranteed by any other state.	
<input type="checkbox"/> I certify that the qualified production does not depict obscene matter or an obscene performance as described in 1984 PA 343, MCL 752.361 to 752.374.	
<input type="checkbox"/> I certify that the applicant will comply with the delinquency and default certifications for the length of the agreement and understands that this compliance will be a condition of receiving the postproduction certificate of completion.	
Applicant's Printed Name	Date
Applicant's Signature	Date

APPLICATION CHECKLIST

Make sure you have included the following documentation and additional materials with this application:

- Insurance Information
- Additional documentation as listed in item 30.
- Script/Storyboard (whatever breakdown is available at this point)
- A non-refundable filing fee of \$100 payable to the Michigan Film Office (No cash accepted).

Mail or overnight application and all related documents with your check for \$100 to:
 Michigan Film Office
 300 North Washington Square, 4th Floor
 Lansing, MI 48913.
Make checks payable to Michigan Film Office.

FILM OFFICE USE ONLY
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