

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2514**

4 (By Mr. Speaker (Mr. Thompson) and Delegate Armstead)

5 [By Request of the Executive]

6 (Originating in the Committee on Finance)

7 [March 19, 2013]

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9  
10 A BILL to amend and reenact §11-13X-5 of the Code of West Virginia,  
11 1931, as amended, relating to the Film Industry Investment  
12 Act; lowering the amount of credit allowed and lowering the  
13 total amount of tax credits available in a given fiscal year.  
14 *Be it enacted by the Legislature of West Virginia:*

15 That §11-13X-5 of the Code of West Virginia, 1931, as amended,  
16 be amended and reenacted to read as follows:

17 **ARTICLE 13X. WEST VIRGINIA FILM INDUSTRY INVESTMENT ACT.**

18 **§11-13X-5. Amount of credit allowed; limitation of the credits.**

19 (a) *Base allowance.* --

20 The amount of credit allowed to every eligible company, except  
21 as provided in subsection (b) of this section, ~~shall be~~ is twenty-  
22 seven percent. Provided, That for tax years beginning after  
23 December 31, 2013, the amount of credit allowed, except as provided  
24 in subsection (b) of this section is twenty-one percent.

25 (b) *Extra allowance for hiring of local workers.* -- Any amount

1 allowed in subsection (a) of this section shall be increased by an  
2 additional four percent if the eligible company, or its authorized  
3 payroll service company, employs ten or more West Virginia  
4 residents as part of its full-time employees working in the state  
5 or as apprentices working in the state.

6 (c) *Application of the credits.* -- The tax credit allowed  
7 under this section shall be applied to the eligible company's state  
8 tax liability as provided in section seven of this article.

9 (d) *Limitation of the credits.* -- No more than ~~\$10~~ \$5 million  
10 of the tax credits ~~shall~~ may be allocated by the film office in any  
11 given West Virginia state fiscal year. The film office shall  
12 allocate the tax credits in the order the applications therefor are  
13 received.