SENATE BILL NO. 64–COMMITTEE ON
REVENUE AND ECONOMIC DEVELOPMENT

(ON BEHALF OF THE OFFICE OF ECONOMIC DEVELOPMENT
IN THE OFFICE OF THE GOVERNOR)

PREFILED NOVEMBER 16, 2026

Referred to Committee on Revenue and
Economic Development

SUMMARY—Revises provisions relating to transferable tax credits for film and other productions. (BDR 32-135)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: No.

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

AN ACT relating to economic development; revising the eligibility requirements for transferable tax credits for film and other productions; revising provisions governing the calculation of the amount of transferable tax credits issued to an eligible production company; expanding the pending legal actions for which such transferable tax credits may be withheld; revising the deadline by which principal photography of qualified production must commence; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes a program for the issuance of transferable tax credits by the Office of Economic Development to the production company of a motion picture or other qualified production, based upon qualified direct production expenditures made for the purchase of personal property or services from a Nevada business. (NRS 360.758-360.7598) Under existing law, to be eligible for the transferable tax credits, a production company is required to satisfy certain criteria, including, without limitation, providing proof satisfactory to the Office that at least 60 percent of the direct production expenditures for certain phases of the production will be incurred in this State as qualified direct production expenditures. (NRS 360.759) **Section 1** of this bill authorizes a production company, alternatively, to provide proof that 60 percent of the filming days of the qualified production will occur within this State.

Existing law further requires the production company to enter into a written agreement with the Office to include in the qualified production an indication or acknowledgment that the filming or production of the qualified production occurred within this State. (NRS 360.759) **Section 1** authorizes, as an alternative, that the agreement may provide that the production company will implement a marketing strategy acceptable to the Office to publicize that the qualified production was filmed or otherwise produced in Nevada.

Existing law governs the calculation of a base amount of transferable tax credits and certain additional amounts for the employment of Nevada residents in certain roles and for conducting more than 50 percent of the filming days of the qualified production in a county in which, in the preceding 2 years, qualified productions incurred less than $10,000,000 of qualified direct production expenditures. (NRS 360.7592) **Section 2** of this bill increases the base amount of transferable tax credits for qualified productions from 15 percent to 20 percent of qualified direct production expenditures. **Section 2** also revises the types of qualified productions which are eligible for additional amounts of transferable tax credits to include qualified productions for which more than 50 percent of the filming days of the qualified production occurred in: (1) a city whose population is less than 60,000; or (2) certain areas of a county whose population is 100,000 or more (currently Clark and Washoe Counties) within the geographic boundaries of a rural area that is at least 20 miles from any urban area, as designated by the United State Department of Agriculture. Finally, **section 2** authorizes the Office to withhold transferable tax credits until any legal action in any state against the production company or involving the qualified production is resolved rather than only authorizing such action until any legal action in this State is resolved.

Existing law requires the principal photography of a qualified production to begin not more than 90 days after the date on which an application for the transferable tax credits is approved. (NRS 360.7595) **Section 3** of this bill extends this deadline to not more than 180 days after the application is approved.

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

Section 1. NRS 360.759 is hereby amended to read as follows:

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

(a) Any tax imposed by chapters 363A and 363B of NRS;

(b) The gaming license fees imposed by the provisions of NRS 463.370;

(c) Any tax imposed pursuant to chapter 680B of NRS; or

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

2. The Office may approve an application for a certificate of eligibility for transferable tax credits if the Office finds that the production company producing the qualified production qualifies for the transferable tax credits pursuant to subsection 3. If the Office

approves the application, the Office shall calculate the estimated amount of the transferable tax credits pursuant to NRS 360.7592, 360.7593 and 360.7594.

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

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

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

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

(d) Provide proof satisfactory to the Office that at least 60 percent of the ~~[~~direct~~]~~ ***:***

(1) Direct production expenditures for:

~~[~~(1)~~]~~ ***(I)*** Preproduction;

~~[~~(2)~~]~~ ***(II)*** Production; and

~~[~~(3)~~]~~ ***(III)*** If any direct production expenditures for postproduction will be incurred in this State, postproduction,

➥ of the qualified production will be incurred in this State as qualified direct production expenditures; ***or***

(2) Filming days of the qualified production will occur in this State;

(e) Not later than 270 days after the completion of principal photography of the qualified production or, if any direct production expenditures for postproduction will be incurred in this State, not later than 270 days after the completion of postproduction, unless the Office agrees to extend this period by not more than 90 days, provide the Office with an audit of the qualified production that includes an itemized report of qualified direct production expenditures which:

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

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

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

(g) Enter into a written agreement with the Office that requires the production company to ***:*** ~~[~~include:~~]~~

(1) ~~[~~In~~]~~ ***Include in*** the end screen credits of the qualified production, a logo of this State provided by the Office which indicates that the qualified production was filmed or otherwise produced in Nevada; or

(2) If the qualified production does not have end screen credits, ***include*** another acknowledgment in the final version of the qualified production which indicates that the qualified production was filmed or otherwise produced in Nevada ~~[~~;~~]~~ ***or implement an***

alternative marketing strategy acceptable to the Office to publicize that the qualified production was filmed or otherwise produced in Nevada; and

(h) Meet any other requirements prescribed by regulation pursuant to this section.

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

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

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

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

(d) A summary of the budgeted expenditures for the entire production, including projected expenditures to be incurred outside of Nevada;

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

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

(g) The business address of the production company;

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

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

(j) Any other information required by regulations adopted by the Office pursuant to subsection 8.

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

(a) The applicant;

(b) The Department; and

(c) The Nevada Gaming Control Board.

6. Within 60 business days after receipt of an audit provided by a production company pursuant to paragraph (e) of subsection 3 and any other accountings or other information required by the Office, the Office shall determine whether to certify the audit and make a final determination of whether a certificate of transferable tax credits will be issued. If the Office certifies the audit, determines that all other requirements for the transferable tax credits have been met and determines that a certificate of transferable tax credits will be issued, the Office shall notify the production company that the

transferable tax credits will be issued. Within 30 days after the receipt of the notice, the production company shall make an irrevocable declaration of the amount of transferable tax credits that will be applied to each fee or tax set forth in subsection 1, thereby accounting for all of the credits which will be issued. Upon receipt of the declaration, the Office shall issue to the production company a certificate of transferable tax credits in the amount approved by the Office for the fees or taxes included in the declaration of the production company. The production company shall notify the Office upon transferring any of the transferable tax credits. The Office shall notify the Department and the Nevada Gaming Control Board of all transferable tax credits issued, segregated by each fee or tax set forth in subsection 1, and the amount of any transferable tax credits transferred.

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

8. The Office:

(a) Shall adopt regulations prescribing:

(1) Any additional requirements to receive transferable tax credits;

(2) Any additional qualified expenditures or production costs that may serve as the basis for transferable tax credits pursuant to NRS 360.7591;

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

(4) The application review process;

(5) Any type of qualified production which, due to obscene or sexually explicit material, is not eligible for transferable tax credits; and

(6) The requirements for notice pursuant to NRS 360.7595; and

(b) May adopt any other regulations that are necessary to carry out the provisions of NRS 360.758 to 360.7598, inclusive.

9. The Nevada Tax Commission and the Nevada Gaming Commission:

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

(b) May adopt any other regulations that are necessary to carry out the provisions of NRS 360.758 to 360.7598, inclusive.

Sec. 2. NRS 360.7592 is hereby amended to read as follows:

360.7592 1. Except as otherwise provided in subsection 4 and NRS 360.7593 and 360.7594, the base amount of transferable

tax credits issued to an eligible production company pursuant to NRS 360.759 must equal ~~[15]~~ ***20*** percent of the qualified direct production expenditures.

2. Except as otherwise provided in subsections 3 and 4 and NRS 360.7594, in addition to the base amount calculated pursuant to subsection 1, transferable tax credits issued to an eligible production company pursuant to NRS 360.759 must include credits in an amount equal to:

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

(b) An additional 5 percent of the qualified direct production expenditures if more than 50 percent of the filming days of the qualified production occurred in ~~[a]~~ ***:***

(1) A county in this State in which, in each of the 2 years immediately preceding the date of application, qualified productions incurred less than $10,000,000 of qualified direct production expenditures ~~[.]~~ ***;***

(2) An area of a county whose population is 100,000 or more that is located within the geographic boundaries of an area that is designated as rural by the United States Department of Agriculture and at least 20 miles outside of the geographic boundaries of an area designated as urban by the United States Department of Agriculture; or

(3) A city whose population is less than 60,000.

3. For the purposes of paragraph (a) of subsection 2:

(a) Except as otherwise provided in paragraph (b) of this subsection, the percentage of the below-the-line personnel who are Nevada residents must be determined by dividing the number of workdays worked by Nevada residents by the number of workdays worked by all below-the-line personnel.

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

4. The Office may:

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

(b) Withhold the transferable tax credits, in whole or in part:

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

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

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

Sec. 3. NRS 360.7595 is hereby amended to read as follows:

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

(a) The applicant;

(b) The Department; and

(c) The Nevada Gaming Control Board.

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

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

4. Except as otherwise provided in this subsection, if the application is approved, principal photography of the qualified production must begin not more than ~~[90]~~ ***180*** days after the date on which the decision on the application is issued. The Office of Economic Development:

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

(b) May extend by not more than 90 days the period otherwise prescribed by this subsection.

5. A production company that produces a qualified production shall submit the audit required by NRS 360.759 and all other required information to the Office and the Department within the time required by paragraph (e) of subsection 3 of NRS 360.759. Production of the qualified production must be completed within 18 months after the date of commencement of principal photography. If the Office or the Department determines that information submitted pursuant to this subsection is incomplete, the production company shall, not later than 30 days after receiving notice that the information is incomplete, provide to the Office or the Department, as applicable, all additional information required by the Office or the Department.

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

Sec. 4. This act becomes effective on July 1, 2027.