

810-3-21-.04 Rebates Allowed for Qualified Production Companies.

(1) Purpose. This rule sets forth guidelines and procedures to be used by the Department of Revenue in the administration of Act 2009-144, as codified in Article 3, Chapter 7A of Title 41 of the Code of Alabama 1975.

(2) Definitions. For purposes of this rule, all capitalized terms shall have the meaning provided by Alabama Film Office Rule 281-3-1-.02. In addition, the term "Notice of Rebate Available" shall mean the written notice from the Alabama Film Office certifying the amount of Rebate determined to be available to a Qualified Production Company.

(3) A Qualified Production Company that satisfies the provisions of Section 41-7A-40 through 41-7A-48 of the Code of Alabama 1975 and produces a State-Certified Production shall be entitled to claim a Rebate, in an amount not to exceed that set forth in the Notice of Rebate Available on its Alabama income tax return for the tax year during which production activities in Alabama on the State-Certified Production were completed.

(4) The Rebate may be used to offset the Alabama income tax liability of the Qualified Production Company for the tax year during which production activities in Alabama on the State-Certified Production were completed. The amount by which the Rebate exceeds the Qualified Production Company's Alabama income tax liability shall be refunded to the Qualified Production Company. If production activities in Alabama on the State-Certified Production took place in more than one tax year, the Qualified Production Company must be current in its income tax filings for all tax years during which production activities on the State-Certified Production took place in Alabama before a Rebate can be claimed.

(5) To claim the Rebate, the Qualified Production Company shall:

(a) Include the Notice of Rebate Available with its Alabama income tax return, and

(b) Submit the Alabama income tax return with the claimed Rebate to The Department of Revenue's Office of Economic Development. The Qualified Production Company's tax year must be closed before it can file its Alabama income tax return claiming the Rebate.

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Authority: Sections 40-2A-7(a)(5) and 41-7A-40 through 48, Code of Alabama 1975
History: New rule: Filed January 27, 2014, effective March 3, 2014.