

Utah MPIP Administrative Rule Changes (R357-5)

As of August 1, 2020

NEW DEFINITIONS

- **"Cast"** is defined as performers appearing in a particular film with featured or speaking roles.
- **"Crew"** is defined as those involved in the production of a film who are not defined as cast or extras.
- **"Extras"** is defined as an extra or background actor is a performer in a production, who appears in a non-speaking or non-singing (silent) capacity, usually in the background.
- **"Made-For-Television"** is defined as feature-length motion pictures specifically made-for-television or streaming platforms.
- **"Motion Pictures"** is defined as a production that is originally intended for commercial distribution and does not include:
 - News;
 - Commercials;
 - Live broadcasts;
 - Digital media products;
 - Live sporting events;
 - Live coverage of theatrical or entertainment events; or
 - Programs that solicit funds.

NOTE: Reality Television has been removed from this list as it is now eligible for incentives.

- **"Principal photography", "Producing" or "Production"** is defined as the filming of major and significant portions of a film that involves the main/lead actors/actresses.
- **"Television series"** is defined as a group of episodes of a production released on television or streaming platforms.
- **"Utah Resident"** is defined as a person who has lived in Utah for the entire year (at least 183 days) even if temporarily outside of Utah for an extended length of time, maintains a permanent home in Utah, and is subject to State of Utah personal income tax.

APPLICATION CHANGES

- For Community Film Incentive Program (CFIP) projects - there are no longer 5 principal cast exemptions from the 85%. All CFIP productions must hire 85% cast & crew. Extras are still excluded.
- "Factors that contribute to relative merit" of the production:
 - Removed "Length of employment for cast & crew".
 - Added "Dollars Left in State".
 - Replaced "Other economic development" with "New State Revenue".
- Added the following clause to allow the Office to "close" applications
 - A production's eligibility for an incentive ends upon approval or denial by the Office. A production may reapply subject to compliance with program statute and rules.

AWARD CHANGES

- Dollars Left in the State
 - Removed 50% of shipping or airfare charges with one destination point within Utah and all shipping or airfare outside of Utah.
 - No shipping will count toward the incentive.
 - The only airfare costs that will count are those that are booked by a local travel agency and are therefore subject to local state taxes.

Visit <https://rules.utah.gov/publicat/bulletin/2019/20191115/44179.htm> for DAR File No. 44179

