

WAC 130-20-020 Eligibility criteria and guidelines. (1) To qualify for funding assistance, the applicant must:

- (a) Certify that it is not engaged, to any extent, in the production of erotic material, as defined in RCW 9.68.050.
- (b) The end credits of a film production must acknowledge that the production was filmed in Washington state. The type and style of acknowledgment shall be negotiated between the motion picture competitiveness board and the production company.
- (c) Agree to pay all obligations the film production company incurs in Washington state.
- (d) Complete a survey as required in WAC 130-20-060 and file it with the department following the completion of the part of the project covered by the contract with the competitiveness board and before distribution of the funding assistance.
- (e) Make every effort to maximize the hiring of local cast, crew and support services.
- (f) Make industry standard payments for health insurance and a retirement plan for those positions typically covered by a collective bargaining agreement; and
- (g) Enter into a contract with the motion picture competitiveness program accepting the terms above.

(2) The following activities are considered, but not limited to, qualified expenditures, provided the expenditure occurs in Washington state:

- (a) Production costs include costs for preproduction, production and postproduction.
- (b) Salaries of Washington state residents who are cast and crew, including wages and payments for health insurance and retirement plans, or fees of Washington state residents to include talent, management and labor.
- (c) Cost of set construction and operations, wardrobe, make-up, accessories, location fees and related services.
- (d) Costs associated with photography, sound synchronization, lighting and related services and materials.
- (e) Renting or leasing vehicles, equipment or facilities.
- (f) In-state food, lodging, and per diems.
- (g) Agency fees for insurance coverage and bonding if purchased from Washington state-based insurance agent.
- (h) Postproduction expenditures directly attributable to the production of a motion picture or commercial for services including, but not limited to: Editing and related services, film processing, transfers of film to tape or digital format, sound mixing, computer graphics services, special effects, animation services, and music.
- (i) Legal and accounting fees and expenses related to the production's activities in Washington state, provided such services are performed by Washington state licensed attorneys or accountants.
- (j) "Preproduction" means costs for standard activities directly related to the production, which are incurred prior to the first day of principal photography for a motion picture.
- (k) Other direct or indirect costs of producing a film in accordance with the generally accepted entertainment industry practices if expenditures occurred in the state of Washington.
- (l) Other costs the competitiveness program believes add economic benefit to the state of Washington.

(3) The board is encouraged to consider the following when considering certifying a production for funding assistance:

- (a) The additional income and tax revenue to be retained in the state for general purposes.
- (b) Creation and retention of family wage jobs that provide health insurance and payments into a retirement plan.
- (c) The impact of projects to maximize in-state labor and use of in-state film production and film postproduction companies.
- (d) The impact on the local economy and the state economy as a whole.

[Statutory Authority: RCW 43.365.020. WSR 09-17-015, § 130-20-020, filed 8/6/09, effective 9/6/09; WSR 09-03-033, § 130-20-020, filed 1/12/09, effective 2/12/09; WSR 07-03-015, § 130-20-020, filed 1/4/07, effective 2/4/07.]