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SENATE BILL NO. 937

Offered January 11, 2023

Prefiled January 6, 2023

A BILL to amend the Code of Virginia by adding a section numbered 2.2-2320.3, relating to Television Production Development Grant Program and Fund; established; report.

Patrons—Hashmi, McClellan and McPike

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 2.2-2320.3 as follows:****§ 2.2-2320.3. Television Production Development Grant Program and Fund; report.**

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Television Production Development Grant Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be overseen by the Authority and used solely for the purposes of offering competitive grants to businesses in the television industry for filming or investing in television production or television production-related infrastructure projects in the Commonwealth, and to carry out the purposes of the Television Production Development Grant Program, as described in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Authority.

B. The Television Production Development Grant Program (the Program) is hereby established for the purpose of awarding grants on a competitive basis from such funds as may be available from the Fund to assist television production companies that meet requirements set forth in the guidelines for the production of television projects in the Commonwealth. Any such television project shall be clearly defined. The Program shall be administered by the Authority. In administering the program, the Authority shall establish and publish guidelines and criteria for grant awards relating to television projects in the Commonwealth. The Authority shall oversee each grant awarded through the Program and ensure thorough reporting on each such grant.

C. The Virginia Film Office shall assist the Authority in the development of guidelines, criteria, and a grant application process to be used in awarding competitive grants under the Program from moneys in the Fund. The guidelines, criteria, and grant application process shall be based, in part, on audited spending on television production projects in the Commonwealth and shall give preference to a recipient television production company that hires Virginia workers for such project and that provides copies of employer quarterly payroll reports provided to the Virginia Employment Commission to verify the employment status of any position. The guidelines shall include provisions for geographic diversity and a cap on the amount of money available for any television production project. The types of projects eligible for consideration shall be television programs, children's television programs, television documentaries, television series, or other television programs designed to fit a 30-minute or longer format slot and any infrastructure necessary for such projects. Motion pictures are not eligible to receive grants under this section.

D. Prior to the distribution of any funds, any television production company seeking funding pursuant to this section shall submit a grant application to the Authority and the Virginia Film Office for consideration. The Authority shall have the right to make inspections and copies of the books and records of a grantee at any time. The grantee has the burden of proving and maintaining eligibility for funding. A grantee shall undergo an audit for the grant period and provide a copy of the audit report to the Authority and the Virginia Film Office.

E. The Virginia Film Office, in conjunction with the Authority, shall submit a report every two years detailing television industry and related infrastructure spending, investments in the Commonwealth, the number of Virginians employed, and an analysis of the economic impacts on localities from television production projects and competitive grants awarded to television production companies pursuant to this section.

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