



West Virginia Film Industry Investment Act



Form FIIA-01: Eligibility Application

Part I – GENERAL INFORMATION

Applicant Company Name _____ FEIN/SSN _____

Primary Contact _____ Title _____
(Person with whom West Virginia Tourism Office is authorized to discuss pending application.)

Physical Street Address _____

City _____ State _____ Zip _____ Country _____

Phone _____ Fax _____ Email _____

Secondary Contact (if any) Authorized to Discuss Pending Application:

Name _____ Title _____

Phone _____ Fax _____ Email _____

Part II – PRODUCTION INFORMATION

Type of Production:

- Feature Length Theatrical Feature Length Direct-to-Video Commercial Still Photography
- Commercial Music Video Television MOW Television Mini-Series Television Series
- Television Pilot Other (explain) _____

Production Title (also include brief synopsis of Production): _____

Identify the Name of the Copyright Owner of the Production: _____

Part III – PRODUCTION SCHEDULE & LOCATIONS

Anticipated Production Schedule

	Total Production		West Virginia Dates Only	
	Start Date	End Date	Start Date	End Date
Pre-Production				
Production / Principal Photography				
Post-Production				
Anticipated Release / Premiere Date				

Anticipated Locations

Identify anticipated WV locations to be used during filming, including cities, addresses, and/or other location details or property identifiers:

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Part IV- PRODUCTION EXPENDITURES

Attach budget top sheet and include dedicated column for estimated West Virginia qualified expenditures. Estimated WV qualified expenditures must be a minimum of \$25,000 for Applicant Company to be eligible to apply to program. Provide estimated WV expenditures for each phase of production which are subject of the Eligibility Application.

Total Estimated Budget \$ _____

WV Estimated Budget \$ _____

[Must equal combined amounts of Pre-Production, Production, and Post-Production lines below.]

Estimated West Virginia Qualified Expenditure Totals:

WV Pre-production \$ _____

WV Production \$ _____

WV Post-production \$ _____

Total Principal Photography Days _____ WV Principal Photography Days _____

Anticipated date of first expenditure in WV, including pre-production _____

Will Applicant Company hire 10 or more WV residents – crew or talent – full-time during principal photography? Yes No

Applicant Company is also eligible for exemption from state sales tax on certain expenditures. A separate application is required. Contact the Film Office for details.

Complete Only One Option

Tax Credit Requested at 27% = \$ _____
[if not hiring 10 or more WV residents]

OR

Tax Credit Requested at 31% = \$ _____
[if hiring 10 or more WV residents]

IMPORTANT EXPENDITURE NOTATIONS:

- Airfare is only a qualified spend if a WV-based travel agency is utilized.
- Transportation rentals are only a qualified spend if contract is through a WV-based rental company or travel agency.
- Insurance or bonding are only a qualified spend if a WV-based insurance agent/agency is utilized.
- While not required to use a WV-based CPA to prepare the expense verification report, only fees charged by a WV-based CPA will be deemed qualified spend. Regardless, CPA must be properly licensed to perform attest engagements by their respective state's Board of Accountancy or equivalent regulatory body.

Part V - KEY PERSONNEL CONTACTS

List only those officially attached to production.

Type of Contact	WV resident? Y / N	Name	Phone	Email
Main Contact/Title During Production				
Secondary Contact/Title				
Primary Tax Credit Contact/Title				
Production Accountant				
Production Manager				
Unit Publicist				
Executive Producer				
Producer				
Line Producer				
Director				
Lead Actor(s)				

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PART VI - REQUIRED DOCUMENTATION TO ACCOMPANY APPLICATION

- Application
- Status or proof of financing or distribution arrangements
- Budget top sheet - MUST include dedicated column for estimated West Virginia qualified expenditures
- SECRETARY OF STATE REGISTRATION: Copy of valid Certificate of Existence or Authorization (or, alternatively, Exemption from Certificate of Authority) from the WV Secretary of State's Office that Applicant Company is registered to do business in West Virginia
- TAX DEPARTMENT: Copy of valid Business Registration Certificate from the WV State Tax Division that Applicant Company is registered to do business in West Virginia
- Optional Waiver of Confidentiality (this form must be signed and included in application packet, whether or not any waivers are granted or declined by the applicant; the responses provided on this form do not have any impact on the review committee's decisions)
- Script OR Storyboards and/or Shot List (e.g., commercials, music videos)
- If unscripted project (e.g., documentary, reality show), attach detailed treatment or synopsis, including, for example, episode breakdown, topics covered, anticipated outcomes, narration script, etc.
- If Applicant Company is utilizing any loan-out corporations and will be claiming said payments as qualified expenditures, provide copies of the "Certificate of Existence" from the WV Secretary of State's Office and the "Business Registration Certificate" from the WV State Tax Division for each corporation and identify them by name _____
- If Applicant Company is utilizing a WV-based Production Services Company (aka pass-thru), provide copies of its "Certificate of Existence" from the WV Secretary of State's Office and its "Business Registration Certificate" from the WV State Tax Division and identify it by name _____
- If Applicant Company is utilizing a WV-based Payroll Services Company, provide copies of its "Certificate of Existence" from the WV Secretary of State's Office and its "Business Registration Certificate" from the WV State Tax Division and identify it by name _____
[If a non-WV based company is being used, its service fees will not qualify as WV spend.]
- If any materials are missing from the application packet, explain reasoning: _____

Part VII - SIGNATURE AND VERIFICATION

Under penalties of perjury, I declare that I have examined this application, including any accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I understand and agree that this application is subject to committee review, will not be returned to Applicant Company, and does not provide any guarantee that it will be approved for participation in the WV Film Industry Investment Act.

I further understand and agree that:

- (1) I have read the statute and legislative rules that govern the WV Film Industry Investment Act, W.Va. Code §§11-13X-1, et seq. and §110 CSR 13X, respectively, as well as the Agreed Upon Procedures that govern the process utilized by Applicant Company's independent Certified Public Accountant (CPA) in preparing the required expense verification report;
- (2) if the application is approved, principal photography must commence within 120 days of approval or Applicant Company forfeits the right to claim any tax credit for the approved project and will be removed from the program, unless an extension was requested by applicant a minimum of 30 days in advance of expiration and approved by and at the sole discretion of the West Virginia Tourism Office;
- (3) pursuant to W.Va. Code §11-13X-6(a)(1), if the approved project contains screen credits, Applicant Company must include the following screen credit in the end-crawl: "Filmed in West Virginia with assistance of the WV Film Industry Investment Act";
- (4) Applicant Company will cooperate with the West Virginia Tourism Office to issue press release(s) in advance of filming, and upon conclusion of filming, and will provide a quote(s) from the producer and/or the director and/or a lead actor;
- (5) Applicant Company will provide collateral and promotional materials, including an electronic press kit (if available), for use by the West Virginia Tourism Office to help promote theatrical, broadcast or other viewing opportunities related to the production;

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Part VII - SIGNATURE AND VERIFICATION continued

(6) Applicant Company will provide digital photographs of on-set photography taken during principal photography for use by the West Virginia Tourism Office, during or after filming, to promote and support the value of Applicant Company's economic development activities;

(7) Applicant Company's representatives will include West Virginia Tourism Office staff on all casting notices, press releases, and call sheet distribution lists;

(8) Applicant Company will permit the West Virginia Tourism Office, including its VIP or media guests, access to the set on a minimum of two advanced scheduled occasions to take photographs of crew in action;

(9) issuance of tax credits will be subject to submission and review of an independent CPA's expense verification report of the final accounting of WV expenditures, as well as all required supporting documentation, the cost of which is Applicant Company's responsibility; it is Applicant Company's responsibility to obtain a copy of a "Statement of Good Standing" for each Vendor it pays in excess of \$4,000 (and is claiming as a qualified expenditure), which must accompany the CPA's report;

(10) before any tax credits are issued, a final shooting script reflecting any and all revisions to the script that occurred during filming, or a final narration script, or a final cut of the project must be submitted to the West Virginia Tourism Office; and

(11) Applicant Company and its representatives will comply with all statutes and rules of the WV Film Industry Investment Act as stated in W.Va. Code §§11-13X-1, et seq. and §110 CSR 13X, and verifies that the project (A) does not intend to and does not violate W.Va. Code §§61-8C-1, et seq. [i.e., filming of sexually explicit conduct of minors]; (B) does not contain obscene matter or sexually explicit conduct, as defined by W.Va. Code §§61-8A-1; and (C) does not contain content that portrays the State of West Virginia in a significantly derogatory manner (W.Va. Code §11-13X-3(b)(8)(F)).

I hereby confirm that I am a duly authorized representative of Applicant Company and have the authority to submit this application on its behalf.

Signature of Authorized Company Representative _____ Date _____

PRINT Representative's Name and Title _____ Phone _____

PRINT Name and Title of Preparer (if different from Applicant Company) _____

PRINT Preparer's Address and Contact Information (if different from Applicant Company) _____

City _____ State _____

Zip _____ Country _____

Phone _____ Email _____

MODIFICATIONS

If applicant wishes to submit modifications to an Eligibility Application previously approved or pending approval, applicant must complete and submit a Modification Application (Form FIIA-01-M), which is available at www.wvfilm.com/incentives or by calling the West Virginia Tourism Office.

SUBMITTING APPLICATION

Delivery Option #1: Deliver one signed application (materials must be one-sided and legible) and support documentation to:

West Virginia Tourism Office
 ATTN: Film Credit Development Committee
 1900 Kanawha Boulevard East
 Charleston, WV 25305

—OR—

Delivery Option #2: Submit a signed application and support documentation (materials must be legible and PDFs only) via email to WVFILM@WV.GOV

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