

Purpose. This rule sets forth guidelines and procedures to be used by the department in the administration of rebates allowed for qualified production companies.

(1) Definitions. For purposes of this rule, the term “Notice of Rebate Available” means the written notice from the Alabama Film Office certifying the amount of rebate determined to be available to a qualified production company. All other terms used in this rule have the same meaning provided in Alabama Film Office Rule 281-3-1-.02.

(2) A qualified production company that satisfies the provisions of Article 3, Chapter 7A of Title 41 of the Code of Ala. 1975, and produces a state-certified production is entitled to claim a rebate, in an amount not to exceed the amount 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.

(3) 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.

(4) The qualified production company’s tax year must be closed before it can file its Alabama income tax return claiming the rebate.

(5) The Alabama Film Rebate must be pre-certified through the department’s online portal before the taxpayer can claim the rebate on the qualified production company’s Alabama income tax return. The qualified production company must upload the following items in their credit claim package:

- i. Approval letter (first letter) from the Alabama Film Office.
- ii. Notice of Rebate Available (second letter) from the Alabama Film Office.
- iii. The Certificate of Compliance from the department.

Author: Kelly Graham, Ann F. Winborne, CPA, and Preeti Gratz.

Authority: §§40-2A-7(a)(5), and Article 3, Chapter 7A of Title 41, Code of Ala. 1975. Alabama Film Office Rule 281-3-1-.02.

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