



Winter 2008

## New Mexico's Painless 25% Tax Rebate

New Mexico offers a **25% Tax Rebate** on all direct production expenditures, including New Mexico labor, that are subject to taxation by the State of New Mexico. This is a *refund*, not a credit, on the full amount of the expenditure, not just the tax portion. (i.e. if the expense of an item *including tax* is \$100, the rebate is \$25). **There is no minimum spend required, no cap, and no sunset clause.** Our rebate applies to feature films, television, regional and national commercials, documentaries, video games and post-production. Non-resident actors and stunt performers will also qualify, though under a separate tax structure.

*Requirements/Qualifications: Pages 2-4*  
*Cheat Sheet: Page 5*  
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*Checklist: Page 10*  
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Exceptional and extensive crew base – the largest between coasts

Over 300 days of sunshine and four temperate seasons

Awe-inspiring locations from snowcapped mountain peaks to barren deserts

New Mexico has doubled Canada, Mexico and everything in between – even Mars

Stages from 2,000 sq ft to 48,000 sq ft and dozens of dedicated industry vendors

A searchable location database on our web site with over 50,000 photos

A *green* filmmaking program

Film-friendly communities and liaisons throughout the state

22 Native American tribes

A film office willing to jump through rings of fire

## Requirements for 25% rebate:

- Script cannot be obscene in nature. Any non-scripted projects (reality television, documentaries, etc...) must submit a treatment/synopsis/storyboard/other medium-appropriate outline and indicate if it involves any potentially hazardous conditions, minors or animals, and its compliance with state laws.
- A long-form narrative film production shall contain an acknowledgment that the production was filmed in the State of New Mexico.
- Production shall agree to pay all obligations the film production company has incurred in New Mexico.
- Production shall agree to publish, at completion of principal photography, a notice at least once a week, for three consecutive weeks, in local newspapers in regions where filming has taken place to notify the public of the need to file creditor claims against the film production company by a specified date. This information will also be posted on the web site of the New Mexico Film Office until all financial obligations have been paid.
- Production shall agree that outstanding obligations are not waived should a creditor fail to file by the specified date.
- Production shall agree to delay filing of a claim for the Production Tax Rebate until the New Mexico Film Office delivers written notification to the Taxation and Revenue Department that the film production company has fulfilled all requirements for the credit.
- Production shall agree to enter into a contract with the New Mexico Film Office (*Production Tax Credit Agreement*), accepting the terms of the above.

## Who Qualifies:

Feature films, television, national and regional commercials (*proof of national or regional broadcast required*), documentaries and commercial audiovisual product.

## What Qualifies (all must be subject to taxation by the State of New Mexico):

See page 5 for the Rebate Guidelines "Cheat Sheet" or pages 11 - 14 for the FAQs.

- Wages or salaries, fringe benefits or fees for talent, management, and labor to a person who is a New Mexico resident for purposes of the Income Tax Act.

A resident is defined under Section 7-2-2(S) NMSA 1978 of the Income Tax act as follows:

"resident" means an individual who is *domiciled* in this state during any part of the taxable year; but any individual, who on or before the last day of the taxable year changed his place of abode to a place without this state *with the bona fide intention of continuing actually to abide permanently without this state* is not a resident for the purposes of the Income Tax Act.

Out-of-state crew members do **not** qualify.

- Post-production expenditures that are directly attributable to the production of a commercial film or audiovisual product, for services performed in New Mexico; and subject to taxation by the State of New Mexico.

Any of the following “direct production expenditures” (meaning a transaction that is subject to taxation in New Mexico) provided by a New Mexico vendor:

- Costs of a story and scenario to be used for a film if writer is a New Mexico resident
- Costs of set construction and operations, wardrobe, accessories, and related services
- Costs of photography, sound synchronization, lighting, and related services
- Costs of editing and related services
- Rental of facilities and equipment (including location fees)
- Leasing of vehicles, not including the chartering of aircraft for out-of-state transportation; however New Mexico-based chartered aircraft for in-state transportation directly attributable to the production shall be considered a direct production expenditure
- Food and lodging
- Commercial airfare if purchased through a New Mexico-based travel agency or company for travel to and from New Mexico or within New Mexico that is directly attributable to the production
- Insurance coverage and bonding if purchased through a New Mexico-based insurance agent
- Other direct costs of producing a film in accordance with generally accepted entertainment industry practices
- Payment to a personal services corporation for the services of an out-of-state performing artist (actors and stunt performers only) if: the personal services corporation pays gross receipts tax in New Mexico on the portion of those payments qualifying for the tax credit; and the performing artist receiving payments from the personal services corporation pays New Mexico income tax.

See following web link for info:

[http://www.state.nm.us/tax/pubs/FYI102\\_INFORMATION\\_FOR\\_NEW\\_BUSINESSES.pdf](http://www.state.nm.us/tax/pubs/FYI102_INFORMATION_FOR_NEW_BUSINESSES.pdf)

As applied to direct production expenditures for the services of performing artists, the film production tax credit authorized by this section shall not exceed five million dollars (\$5,000,000) for services rendered by all performing artists in a production for which the film production tax credit is claimed *meaning* collectively, actors’ salaries, including tax, up to \$20 million are eligible.

**FOR DETAILED INFORMATION, SEE THE QUESTION, “I’m confused about the out-of-state actor ‘super loan-out’ thing I’ve been hearing about. Could you explain?” IN OUR FAQs ON PAGE 11.**

### **Definitions:**

“Film” means:

a single media or multimedia program, excluding advertising messages other than national or regional advertising messages intended for exhibition, that is fixed on film, digital medium, videotape, computer disc, laser disc or other similar delivery medium; can be viewed or reproduced; is not intended to and does not violate a provision of Chapter 30, Article 37 NMSA 1978; and is intended for reasonable commercial exploitation for the delivery medium used.

“Commercial audiovisual product” means:

a film or a videogame\* intended for commercial exploitation.

“Direct production expenditures” means:  
a transaction that is subject to taxation in New Mexico.

“Film production company” means:  
a person that produces one or more films or any part of a film.

“Post-production expenditure” means:  
an expenditure for editing, Foley recording, automatic dialogue replacement, sound editing, special effects, including computer-generated imagery or other effects, scoring and music editing, beginning and end credits, negative cutting, soundtrack production, dubbing, subtitling or addition of sound or visual effects; but not including an expenditure for advertising, marketing, distribution or expense payments.

\* = Video Games will only qualify if the filing entity is “an approved film production company.”

*Note: Expenditures attributable to a production for which the film production company receives a tax credit pursuant to the federal new markets tax credit program will only qualify for a 20% rebate.*

**Statute:**

Taxation and Revenue Department

Film Production Tax Credit

Section 7-2F-1 and 7-2F-2 NMSA 1978

[http://www.tax.state.nm.us/regs/Film\\_Production\\_Tax\\_Credit\\_Act.pdf](http://www.tax.state.nm.us/regs/Film_Production_Tax_Credit_Act.pdf)

## Film Production Tax Rebate Guidelines *Cheat Sheet*

Please photocopy this page and distribute to your department heads.

- It is not necessary to register the filing entity to do business in New Mexico. Tax & Rev will use your Federal ID number (or social security number if individual) to process the rebate/return.
- Employee fringe benefits paid to a payroll company qualify for the tax rebate, including Pension, Health & Welfare, Holiday, Vacation. The following **does not**: SUI, FICA, FUI and Workers Compensation fee. Workers Compensation Insurance will qualify only if purchased through a New Mexico based agent.
- Out-of-state *performing artists* (actors and stunt performers only) **will** qualify if the personal services corporation pays gross receipts tax in NM on the portion of those payments qualifying for the tax credit; and the performing artist receiving payments from the personal services corporation pays New Mexico income tax. See FAQs (page 11) for details. Fringes for out-of-state actors do **not** qualify.
- Out-of-state *crew members* **do not** qualify; however, their per diem and housing **do**.
- New Mexico-based chartered aircraft for in-state transportation directly attributable to the production **will qualify**; however the chartering of aircraft for out-of-state transportation **will not**.
- Commercial airfare if purchased through a New Mexico-based travel agency or company for travel *to* and *from* New Mexico or *within* New Mexico that is directly attributable to the production **will qualify**.
- Purchases made using petty cash must be documented by **vendor receipts**. Copy the front of each petty cash envelope and include with your summary report. The **vendor** to whom the petty cash was paid is needed, not the crew member who was given the petty cash.
- Credit card purchases must include detail of purchase/vendor name.
- Fuel cards and P-cards will need backup/detail (especially location for fuel cards) of transaction.
- Expenditures made to Section 501 (c), non-profit organizations **do not** qualify because these organizations are tax exempt. These include Goodwill, Salvation Army, churches, museums, schools, etc.
- Purchases made on the Internet **do not** qualify *unless the seller is located in New Mexico*.
- Payments made to the State or Federal Government **do not** qualify. This would include permits and postage (parking lots are the exception).
- FedEx or UPS packages will only qualify if they're being sent *from* New Mexico.
- Purchases made on Native American tribal lands **do not** qualify as they are tax exempt. This includes gas stations, restaurants, hotels, etc... located on these lands.
- Cell phone reimbursements when the billing address is outside of New Mexico **do not** qualify.
- A *Declaration of Residency* form is required for the payroll of every New Mexico resident you include for the tax rebate *except for Background Talent*, and you must get proof of residency (valid NM driver's license, current NM voter registration card, or copy of last year's NM personal income tax return). The employee must completely fill out his/her *Declaration of Residency* form, and you must include a copy of that form **and** a copy of their proof of residency in your tax rebate package. If it is discovered that the "resident" filed a New Mexico Non-Resident tax return, or if they have changed their residency to another state on or before the last day of the taxable year, or if TRD has other evidence indicating they are not a resident (*even though they filled out a Declaration of Residency form and provided proof*), he/she will NOT qualify for the tax rebate.

## TO BEGIN THE PROCESS, START HERE:

For film/television projects, **DO NOT** complete these steps until you are officially greenlit/fully financed and opening New Mexico production offices. For stand-alone post-production, bypass non-applicable steps.

### BEFORE PRODUCTION:

1. Complete the following two forms. Forms can be found at [www.nmfilm.com](http://www.nmfilm.com) under “Incentives.” There is no deadline to submit these forms; however, we ask that they are submitted *before* principal photography begins.

- *Film Production Company Registration*
- *Production Tax Credit Agreement\**

Mail, fax or email forms to:  
John Raymond Armijo  
New Mexico Film Office @ the Jean Cocteau  
418 Montezuma Ave.  
Santa Fe, NM 87501  
Fax: (505) 476-5601  
Email: [john@nmfilm.com](mailto:john@nmfilm.com)

\*After we receive this agreement, a signed copy will be faxed to you for your records.

**Please note:** Failure to comply with the *Production Tax Credit Agreement* may delay your tax rebate.

2. Submit script to the New Mexico Film Office. For non-scripted projects (reality television, etc...), you must submit a synopsis or medium-appropriate outline. If you have applied for the Film Investment Loan Program and already submitted your script, please skip to Step 3.

*Preferred method for sending script: Final Draft or PDF via email to [jennifer@nmfilm.com](mailto:jennifer@nmfilm.com) or hard copy (to support our Green efforts, printing double-sided would be appreciated) to:*

Jennifer Schwalenberg, Deputy Director  
New Mexico Film Office @ the Jean Cocteau  
418 Montezuma Ave.  
Santa Fe, NM 87501  
Phone: (505) 476-5610

3. If applicable\*, call or email Jennifer Schwalenberg to schedule a pre-production meeting with the *New Mexico Taxation & Revenue Dept.* and the *New Mexico Film Office*. This meeting should include your *Head Accountant, Line Producer and/or UPM and/or Production Supervisor*. Jennifer Schwalenberg: (505) 476-5610 or [jennifer@nmfilm.com](mailto:jennifer@nmfilm.com)

\*For budgets under \$1M, this meeting is optional.

4. Distribute the *Rebate Guidelines Cheat Sheet* (on page 5) to your department heads.

### **DURING PRODUCTION:**

5. Each New Mexico resident employed on your production (excluding Background Talent) must complete a *Declaration of Residency* form, a document which they sign under penalty of perjury stating that they are in fact a New Mexico resident, **and** provide proof of residency, which can be one of the following:
  - a. valid New Mexico driver's license
  - b. or current New Mexico voter registration card
  - c. or copy of last year's New Mexico personal income tax return

**IMPORTANT NOTE:** If it is discovered that the “resident” filed a New Mexico Non-Resident tax return, or if they have changed their residency to another state on or before the last day of the taxable year, or if TRD has other evidence indicating they are not a resident (*even though they filled out a Declaration of Residency form and provided proof*), he/she will NOT qualify for the tax rebate.

6. Keep a detailed account (ledger), in print *and* on CD, of all expenditures incurred in New Mexico during pre-production, production and post (if applicable). See box below.

#### **Tips for preparing your Tax Rebate Package (For stand-alone post-production, please concentrate on applicable items):**

- ~Full vendor names must be clearly visible on ledger
- ~Create *two* separate binders/detailed bibles: one for payroll, one for vendors/all other transactions
- ~Any credit card purchases must include detail of purchases/vendor names
- ~Make copies of each employee's *Declaration of Residency* form and proof of residency (attaching them) and sort alphabetically by last name
- ~Make copies of petty cash envelope summaries (copy the front of each petty cash envelope) and sort by PC envelope number
- ~Submit backup for *fuel cards* (invoices with location address) and *P-cards* (detail).
- ~**No other receipts are required at this time, though make copies for your records in case they are requested**

### **AFTER PRODUCTION:**

7. In compliance with the *Production Tax Credit Agreement*, please provide proof of the following:

*Stand-alone post-production submissions are excluded from this requirement.*

“Production shall agree to publish, at completion of principal photography, a notice at least once a week, for three consecutive weeks, in local newspapers in regions where filming has taken place to

notify the public of the need to file creditor claims against the film production company by a specified date.” *Ads can be of any size.* Please include production title, address phone, fax, and contact name(s) for your primary or corporate office – not your New Mexico production office, as vendors need to be able to contact you after you have closed your NM office. Please submit this information to John Raymond Armijo at [john@nmfilm.com](mailto:john@nmfilm.com) and fax a copy of the newspaper bill for all three weeks to John Raymond Armijo: (505) 476-5601

This information will also be posted on the web site of the New Mexico Film Office until all financial obligations have been met. To view a **sample** newspaper ad, please contact John Raymond Armijo: (505) 476-5600

8. Use your records from Step 6 to compile a comprehensive ledger of New Mexico expenditures and calculate your 25% rebate. Do not complete your ledger until your very last New Mexico expenditure, which would include any post-production.
9. Contact Jennifer Schwalenberg at the NMFO (505) 476-5610 or [jennifer@nmfilm.com](mailto:jennifer@nmfilm.com) for verification that payment of all financial obligations incurred in the State of New Mexico has been made. The NMFO will provide a letter to the New Mexico Taxation and Revenue Department confirming that this requirement, per law, has been fulfilled. Until we have confirmation that all financial obligations in the state have been met, we cannot, by law, submit your tax rebate package to TRD.

In addition, the NMFO will need the following eight (8) pieces of information:

- **Total** dollar amount spent in New Mexico (including labor):
- Estimated total number of New Mexico crew members hired (please include prep crew, construction, caterers, teamsters, production office, etc... Do not include day players or actors.):
- Average New Mexico crew size (per day) for prep:
- Average New Mexico crew size (per day) for shoot:
- Prep dates & Number of prep days:
- Shoot dates & Number of shoot days:
- List of all New Mexico cities used for locations:
- Final Crew list and Final Vendor list (for major feature film and television projects only)

Please email this information to [Jennifer@nmfilm.com](mailto:Jennifer@nmfilm.com)

10. Complete the following form:

- *Application for Film Production Tax Credit (RPD-41229)*

The address on this form should be your corporate, home or primary office – **not** your New Mexico production office, as your rebate check will be sent to the address you list.

Mail this package, which **must** include the following (see *Tips for Preparing your Tax Rebate Package* in Step 6):

- Ledgers (Two binders/bibles: one for payroll, one for vendors). One hard copy *and* one soft copy.
- Declaration of Residency forms with Proof of Residency (attached to the Declaration of Residency forms), sorted alphabetically by last name
- Petty cash envelope summaries, sorted by PC envelope number
- Backup for *fuel cards* (invoices with location address) and *P-cards* (detail)
- Hard copy Final Crew list and Final Vendor list, if applicable
- And above form

**NOTE: FEWER MISTAKES EQUAL A FASTER REBATE!**

To:  
 John Raymond Armijo  
 New Mexico Film Office  
 @ the Jean Cocteau  
 418 Montezuma Ave.  
 Santa Fe, NM 87501

Upon review by the NMFO and after confirmation that all financial obligations in the state have been met, this package will be forwarded to the New Mexico Taxation & Revenue Department (TRD). TRD performs two audits and will review your claim *line by line* and **return** the *Application for Film Production Tax Credit* form to you with the approved amount.

Depending upon the amount of submissions (TRD performs audits based upon the order in which they are received) TRD projects that the average audit process will take approximately sixty (60) – seventy-five (75) days to complete; however, it is imperative to provide TRD with any documentation *immediately upon request* in order to stay within this timeframe. Please note this projection *is not guaranteed* by TRD though they make every effort to stay within this timeframe.

11. After you receive the form back from TRD with the approved amount, **file an income tax return** (Using forms: PIT, CIT, PTE or FID-1). **For a quicker check, be sure to check the “REFUND EXPRESS” box for direct deposit.**

Attach a copy of the approved *Application for Film Production Tax Credit* to your income tax return and send to:

Jerry Montoya  
 Audit and Compliance Division, Director’s Office  
 P.O. Box 630  
 Santa Fe, NM 87504-0630

The credit will then be applied to any tax liability you have incurred (franchise fees, if applicable), with the excess credit refunded, by check, back to your production company.

*For questions regarding the tax incentive program, please see the FAQs on pages 11 – 14 or you may contact Jennifer Schwalenberg, Deputy Director, New Mexico Film Office:*

*(505) 476-5610 or [jennifer@nmfilm.com](mailto:jennifer@nmfilm.com) OR*

*Jerry Montoya, Taxation & Revenue Department: (505) 827-0929 or [jerrym@state.nm.us](mailto:jerrym@state.nm.us)*

## NEW MEXICO'S 25% TAX REBATE CHECKLIST

### BEFORE PRODUCTION (before principal photography begins):

- Sent *Film Production Company Registration* form
- Sent *Production Tax Credit Agreement*
- Sent script (for non-scripted projects: synopsis or other medium-related outline)
- Pre-production meeting with NMFO & TRD (if applicable)
- Distributed Rebate Guidelines "Cheat Sheet" to department heads (if applicable)

### DURING PRODUCTION:

- Collected *Declaration of Residency* forms and proofs of residency

### AFTER PRODUCTION (after completion of principal photography):

- Completed requirement for Newspaper Ad (if applicable)
- Confirmed that all New Mexico financial obligations have been paid
- Completed Step Nine
- Mailed the tax rebate package, including the *Application for Film Production Tax Credit*, to NMFO

### AFTER TRD CONFIRMS YOUR TAX REBATE "APPROVED AMOUNT":

- Sent NM Income Tax Return and copy of approved *Application for Film Production Tax Credit* to Jerry Montoya at TRD

## New Mexico's 25% Tax Rebate Frequently Asked Questions

- **What qualifies?**  
*Anything that has a New Mexico state tax attached.*
- **What doesn't qualify?**  
*Anything that doesn't have a New Mexico state tax attached: non-profits, governmental agencies, etc...*
- **In a nutshell, what are the qualifications for feature films?**  
*The script is not obscene, you pay all of your New Mexico obligations, and you give the State of New Mexico a credit.*
- **Will out-of-state crew qualify?**  
*No. However, their housing and per diem will.*
- **Does the rebate apply to out-of-state ATL?**  
*Only actors and stunt performers – “performing artists.”*
- **What about other out-of-state ATL such as directors or producers?**  
*Nope, just actors and stunt performers.*
- **Really, are you absolutely certain out-of-state directors or producers don't qualify?**  
*Yup, absolutely certain.*
- **What about New Mexican ATL?**  
*Yes, all ATL New Mexico residents will qualify.*
- **I'm confused about the out-of-state actor “super loan-out” thing I've been hearing about. Could you explain?**  
*In order for non-resident cast & stunt performers to qualify, a transaction with a New Mexico entity must occur, triggering a New Mexico tax, a requirement in order for the expenditure to qualify. Most productions use a “super loan-out,” a secondary company they open in a state other than New Mexico. They register this “super loan-out” to do business in New Mexico and run all of their non-resident cast salaries through this entity. New Mexico requires that the “super loan-out” pay a 5% gross receipts tax on these salaries; however this 5% is rebateable, so you would have a net profit of 21.25%. **See example below.** Please keep in mind that the actors must agree to file a New Mexico personal income tax return in order for their salaries to qualify.*

### *Other options:*

- *Several payroll companies can facilitate the “super loan-out” through their non-New Mexico offices*
- *You can use an existing New Mexico company as the “super loan-out,” but you're subject to a higher GRT rate, currently 6.750% in Albuquerque or 7.9375% in Santa Fe*

- *If you only have one or a few non-resident actors and they are willing to register their actor loan-outs in New Mexico, you can bypass the need for a “super loan-out.” The filing entity (the main production company claiming the rebate) can directly pay the actor loan-outs; however, the actor loan-outs would be required to pay the 5% GRT, and the actors themselves must still file a NM personal income tax return.*

**How did you get to the 21.25% for non-resident cast?**

*Example using a secondary company outside of New Mexico as the Super loan-out:*

*Super loan-out registers to do biz in NM*

*Super loan-out pays Mr. Non-resident actor \$100.00*

*Super loan-out pays NM a 5% GRT on the \$100.00*

*Super loan-out has paid a total of \$105.00*

*Main production company/Filing Entity claims the 25% rebate on \$105.00*

*Main production company/Filing Entity receives rebate \$26.25*

*Subtract the 5% GRT (\$5.00) already paid and you have a net of \$21.25 or 21.25%*

▪ **Is it a credit or a rebate?**

*Technically, New Mexico has a “refundable tax credit.” In other words, cash for the full amount – with no brokering required. New Mexico Taxation & Revenue literally sends you a check.*

▪ **Is the rebate on the full amount or just the tax portion?**

*The full amount. Example: you spend \$95.00 and \$5.00 on tax for a total of \$100.00. You would receive \$25.00 back.*

▪ **Must I always pay tax in order for an expenditure to qualify?**

*No, not in all cases will you be paying the tax. Example: you rent a home to be used as a location. The homeowner will not charge you tax; however, that location fee will qualify because now the homeowner must pay income tax on that amount. Remember, it’s anything that has a state tax attached.*

▪ **Do commercials qualify?**

*Yes, as long as they’re a regional or national broadcast.*

▪ **Do video games qualify?**

*Yes, but the filing entity claiming the rebate must be an approved “film production company.”*

*Definition of “Film production company”:*

*a person that produces one or more films or any part of a film.*

▪ **Do student films qualify?**

*Yes, as long as they’re intended for exhibition and commercial exploitation.*

▪ **Do documentaries qualify?**

*Yes. Same rules apply: intended for exhibition and commercial exploitation.*

▪ **Do music videos qualify?**

*That depends. Is the music video intended for commercial exploitation? If so, yes. If just for marketing purposes to generate record sales, no.*

- **Do industrials or training videos qualify?**  
*No, unless they are intended for commercial exploitation – will they make a profit? If their purpose is “in-house” (used to train employees, etc...) no, they will not qualify.*
- **Will pornography qualify?**  
*No.*
- **What about post-production?**  
*Yes. Stand-alone post will even qualify. So if you film in California, but decide to do your post in New Mexico, your post-production expenditures will qualify.*
- **Can a non-profit organization claim the rebate?**  
*No, sorry, because the mechanism for receiving the rebate is filing a New Mexico tax return, and non-profits are tax exempt.*
- **Do I have to spend a minimum amount in order to qualify?**  
*No.*
- **Is there a cap on New Mexico expenditures?**  
*No. The more you spend, the more you get back.*
- **Is there an annual cap/allocated fund?**  
*No.*
- **Any caps?**  
*Just on cast/talent. \$20M cap, meaning a maximum rebate of \$5M on cast/talent.*
- **Is there a certain percentage I must film in New Mexico in order to qualify?**  
*No. Even if you film one day in New Mexico, the expenditures for that one day will qualify.*
- **Is there a certain percentage of New Mexico crew I must hire in order to qualify?**  
*No. But keep in mind since out-of-state crew do not qualify, the more New Mexico crew members you hire, the greater the rebate.*
- **I will film most of my movie in New Mexico, but a few scenes take place in another state. If I take my New Mexico crew with me, do I get the rebate on their salaries while they're out of state?**  
*No.*
- **Do I have to pre-qualify or “get in line”?**  
*No.*
- **When should I apply?**  
*Not until you're greenlit, meaning you're fully financed, and opening New Mexico production offices.*

- **Back to that out-of-state director and producer thing...**  
*Wow, you're pushy. Sorry, no. And Lisa is not available, and she will tell you the same thing.*
- **Must I register my production company in the State of New Mexico?**  
*No.*
- **Must I use a New Mexico producer or production company in order to qualify?**  
*No.*
- **Must I use a New Mexico bank?**  
*No.*
- **How do we receive our money?**  
*By filing a New Mexico tax return.*
- **How long does it take to get the rebate?**  
*Depending upon the amount of submissions (TRD performs audits based upon the order in which they are received) TRD projects that the average audit process will take approximately sixty (60) – seventy-five (75) days to complete; however, it is imperative to provide TRD with any documentation immediately upon request in order to stay within this timeframe. Please note this projection is **not guaranteed** by TRD though they make every effort to stay within this timeframe.*
- **It seems too good to be true. Is it really that simple?**  
*Yes.*
- **I still have some unanswered questions. What do I do?**  
*Read this entire document or review the information on our web site.*
- **I already did. And I *still* have questions.**  
*Contact Jennifer at the New Mexico Film Office: [jennifer@nmfilm.com](mailto:jennifer@nmfilm.com) or 505-476-5610 or Jerry Montoya, New Mexico Taxation & Revenue Dept: [jerrym@state.nm.us](mailto:jerrym@state.nm.us) or 505-827-0929*