Massachusetts Department of Revenue

Form TSA

Film Credit Transfer or Sale Application 2023

For calendar year 2023 or taxable year beginning **2023 and ending**

Name of transferor | Social Security or Federal Identification number

Street address | City/Town | State | Zip

Name of transferee | Social Security or Federal Identification number

Street address | City/Town | State | Zip

Designated production company representative | Telephone number | E-mail address

Name of project

Street address | City/Town | State | Zip

Certificate Number

Certificate number issued by Massachusetts Department of Revenue . . . . . .

Amount of Film Credit Transferred

Total amount of film credit being transferred . . . . . .

Amount paid by transferee for film credit . . . . . .

Transfer or Sale Information

If the transferee distributes or assigns any portion of the credit to its partners, members or owners, the transferee must complete a Film Credit Transfer or Sale Application. A separate application is necessary for every individual or business transfer. Upon approval of the application, the Department of Revenue will issue a Transfer or Sale Film Credit Certificate indicating the amount of credit transferred.

Tax Return Filing

The certificate number and amount of credit must be entered on the appropriate line of the Massachusetts tax return. Transferees receiving this Transfer or Sale Film Credit Certificate must also enter the appropriate Transfer or Sale certificate number and amount of credit on the appropriate line of their Massachusetts tax return.

Acknowledgment from the Transferor

I, the transferor, _____ , acknowledge that I am selling the credit in the amount of $ _____

Signature | Print name | Date

Declaration

I declare under the pains and penalties of perjury that to the best of my knowledge, the information contained herein is accurate and complete.

Signature | Title of authorized representative | Date

On this _____ day of _____ before me, the undersigned notary public, personally appeared _____ , provided to me through satisfactory evidence of identification, which was _____ , to be the person whose name was signed above, and who swore or affirmed to me that they executed the same as their free act and deed.

Signature of notary public | Date of expiration of commission

All film credit information should be mailed to **Massachusetts Department of Revenue, Audit Division, 200 Arlington Street, Room 4300, Chelsea, MA 02150, attn. Film Credit Unit.**

Form TSA Instructions

What is the Film Payroll/Production Credit?

For taxable years beginning on or after January 1, 2006, Massachusetts allows two credits for motion picture production companies who meet certain qualifications and requirements.

Transfer, Sale or Assignment of the Credit?

A taxpayer subject to the personal income tax under MGL ch 62 or the corporate excise under MGL ch 63 may transfer, sell or assign either the payroll or production expense credit, in part or in whole, to one or more other taxpayers that are subject to the personal income tax under MGL ch 62 or taxpayers subject to the corporate excise under MGL ch 63.

Any holder of the credits, including a motion picture production company, transferee, buyer or assignee, that wants to make a sale, transfer or assignment of the credits (the "transferor") shall obtain a certificate to transfer, sell or assign the credits before making a transfer to another taxpayer. The transferor must submit to the Commissioner a statement in the form prescribed by the Commissioner that details the amount of tax credit being sold, transferred or assigned and any other information required by the Commissioner. Potential transferors that have an outstanding tax obligation with the state in connection with any motion picture for any prior taxable year are not eligible to transfer, sell or assign the credits. Transferees that have an outstanding tax liability are subject to offsets prior to application of the credit against their current tax liability. Transferees, buyers or assignees may use and carryforward the credits to any of the five taxable years subsequent to the first taxable year the credits were allowed to the initial transferor. Transferring, selling or assigning a credit does not extend the five-year carryforward period.

The required documentation that must be provided for DOR to execute the transfer of the credit between the transferor and the transferee are the following: Original Certificate issued by the Department of Revenue, and a completed Form TSA that is signed by the transferor acknowledging the sale of the credit. **Note:** POA must get seller signature for seller acknowledgment prior to signing Declaration section and submitting the request for sale.

For entities that are Partnerships and/or S-Corporations and are transferring the credit to the members, a Form TSA must be completed for each member with their apportioned credit. Seller acknowledgment does not need to be completed; only Declaration must be signed by General Member.

Certificate Number

Enter the certificate number issued by the Massachusetts Department of Revenue for the credit that is being transferred.

Amount of Film Credit Transferred

Box 1. Enter the total amount of film credit being transferred.

Box 2. Enter the amount paid by the transferee for the film credit.

Transfer or Sale Information

If the transferee distributes or assigns any portion of the credit to its partners, members or owners, the transferee must complete a Film Credit Transfer or Sale Application. A separate application is necessary for every individual or business transfer. Upon approval of the application, the Department of Revenue will issue a Transfer or Sale Film Credit Certificate indicating the amount of credit transferred.

Tax Return Filing

The certificate number and amount of credit must be entered on the appropriate line of the Massachusetts tax return. Transferees receiving this Transfer or Sale Film Credit Certificate must also enter the appropriate Transfer or Sale certificate number and amount of credit on the appropriate line of their Massachusetts tax return.

Questions or concerns relating to the Film Credit Transfer or Sale Application should be directed to the Film Credit Unit at 617-887-6978.

Mail completed application to **Massachusetts Department of Revenue, Audit Division, 200 Arlington Street, Room 4300, Chelsea, MA 02150; attn. Film Credit Unit.**