
SUBSTITUTE HOUSE BILL 2683

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Trade & Economic Development (originally sponsored by Representatives Van Luven, Mason and Ballasiotes)

Read first time 01/29/98. Referred to Committee on .

1 AN ACT Relating to exempting the sale and use of motion picture or
2 video production equipment and supplies from sales and use tax; and
3 amending RCW 82.08.0315 and 82.12.0315.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 82.08.0315 and 1997 c 61 s 1 are each amended to read
6 as follows:

7 (1) As used in this section:

8 (a) "Production equipment" means (~~the following when used in~~
9 ~~motion picture or video production or postproduction:~~) all items
10 necessary and essential to the production of motion picture or video
11 production or postproduction and used solely in such activities,
12 including but not limited to grip and lighting equipment, cameras,
13 camera mounts including tripods, jib arms, steadicams, and other camera
14 mounts, cranes, dollies, generators, helicopter mounts, helicopters
15 rented for motion picture or video production, walkie talkies and other
16 communication equipment, vans, trucks, and other vehicles specifically
17 equipped for motion picture or video production or used solely for
18 production activities, wardrobe and makeup trailers, special effects
19 and stunt equipment, video assists, videotape recorders, cables and

1 connectors, (~~teleprompters~~ [teleprompters]) teleprompters, sound
2 recording equipment, and editorial equipment.

3 (b) "Production services" means motion picture and video
4 processing, printing, editing, duplicating, animation, graphics,
5 special effects, negative cutting, conversions to other formats or
6 media, stock footage, sound mixing, rerecording, sound sweetening,
7 sound looping, sound effects, and automatic dialog replacement.

8 (c) "Motion picture or video production business" means a person
9 engaged in the production of motion pictures and video tapes for
10 exhibition, sale, or for broadcast by a person other than the person
11 producing the motion picture or video tape.

12 (d) "Production supplies" means all items necessary and essential
13 to the production of motion picture or video production or
14 postproduction and used solely in such activities, including but not
15 limited to: (i) Film, tapes, disks, and other such supplies; (ii)
16 communication supplies; (iii) wardrobe, hair, and makeup supplies; (iv)
17 design supplies; and (v) stage and set construction and decoration
18 supplies.

19 (2) The tax levied by RCW 82.08.020 does not apply to the sale of
20 or the rental of production equipment or production supplies, or the
21 sale of production services, to a motion picture or video production
22 business.

23 (3) The exemption provided for in this section shall not apply to
24 rental of production equipment or production supplies, or the sale of
25 production services, to a motion picture or video production business
26 that is engaged, to any degree, in the production of erotic material,
27 as defined in RCW 9.68.050.

28 (4) In order to claim an exemption under this section, the
29 purchaser must provide the seller with an exemption certificate in a
30 form and manner prescribed by the department. The seller shall retain
31 a copy of the certificate for the seller's files. Both the buyer and
32 the seller shall retain such records as required by the department.

33 **Sec. 2.** RCW 82.12.0315 and 1995 2nd sp.s. c 5 s 2 are each amended
34 to read as follows:

35 (1) The provisions of this chapter shall not apply in respect to
36 the use of:

37 (a) Production equipment or production supplies rented to a motion
38 picture or video production business;

1 (b) Production equipment or production supplies acquired and used
2 by a motion picture or video production business in another state, if
3 the acquisition and use occurred more than ninety days before the time
4 the motion picture or video production business entered this state.

5 (2) As used in this section, "production equipment," "production
6 supplies," and "motion picture or video production business" have the
7 meanings given in RCW 82.08.0315.

8 (3) The exemption provided for in this section shall not apply to
9 the use of production equipment or production supplies rented to, or
10 production equipment or production supplies acquired and used by, a
11 motion picture or video production business that is engaged, to any
12 degree, in the production of erotic material, as defined in RCW
13 9.68.050.

14 (4) The person claiming an exemption under this section shall
15 retain such records as required by the department.

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