

# HOUSE BILL 1487

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By: **Chair, Ways and Means Committee (By Request – Departmental – Commerce)**

Introduced and read first time: February 15, 2024

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, February 26, 2024

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2024

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Maryland Entertainment Council – Alterations**

3 FOR the purpose of reestablishing the Maryland Entertainment Council to be the  
4 Maryland Entertainment Industry Council within the Department of Commerce to  
5 study and make recommendations regarding Maryland’s film, television, and  
6 entertainment industry; and generally relating to the Maryland Entertainment  
7 Council.

8 BY repealing

9 Chapter 434 of the Acts of the General Assembly of 2023

10 Section 2

11 BY repealing and reenacting, with amendments,

12 Chapter 434 of the Acts of the General Assembly of 2023

13 Section 5

14 BY adding to

15 Article – Economic Development

16 Section 4–401 through 4–408 to be under the new subtitle “Subtitle 4. Maryland  
17 Entertainment Industry Council”

18 Annotated Code of Maryland

19 (2018 Replacement Volume and 2023 Supplement)

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Chapter 434 of the Acts of 2023**

4 [SECTION 2. AND BE IT FURTHER ENACTED, That:

5 (a) There is a Maryland Entertainment Council.

6 (b) (1) Subject to paragraph (2) of this subsection, the Council consists of:

7 (i) one member of the Senate of Maryland, appointed by the  
8 President of the Senate;

9 (ii) one member of the House of Delegates, appointed by the Speaker  
10 of the House;

11 (iii) the Governor's appointed Senior Advisor on Film, Television, and  
12 Entertainment; and

13 (iv) the following members, appointed by the Governor:

14 1. one expert in the business of the film, television, and  
15 entertainment industry, such as an executive, producer, studio representative, or an  
16 individual holding a leadership role within the industry;

17 2. one expert in workforce development or higher education  
18 related to the film, television, and entertainment industry;

19 3. one expert in emerging technologies or specialties of the  
20 film, television, and entertainment industry, such as an expert in gaming, artificial  
21 intelligence, visual effects, animation, post-production, or another related specialty;

22 4. one expert in legal or policy fields specific to the film,  
23 television, and entertainment industry;

24 5. one representative of the independent film and television  
25 community;

26 6. one representative of nongovernmental entities or  
27 philanthropic institutions that support film, television, or entertainment directly or  
28 creative economies more broadly; and

29 7. one representative of organized labor in the entertainment  
30 industry.

1           (2) The Governor may appoint up to three additional individuals as  
2 honorary cochair of the Council who are:

3                   (i) individuals with extraordinary cultural capital and commanding  
4 significant influence within the film, television, and entertainment industry;

5                   (ii) business leaders commanding a significant stake within the film,  
6 television, and entertainment industry; or

7                   (iii) individuals who have defined the current cultural brand of the  
8 film, television, and entertainment industry within the State.

9           (3) An individual appointed as an honorary cochair of the Council shall be  
10 a nonvoting member of the Council whose responsibilities shall be limited to the promotion  
11 and business development of Maryland's film, television, and entertainment industry.

12           (c) The Senior Advisor on Film, Television, and Entertainment shall chair the  
13 Council.

14           (d) The Department of Commerce shall provide staff for the Council.

15           (e) A member of the Council:

16                   (1) may not receive compensation as a member of the Council; but

17                   (2) is entitled to reimbursement for expenses under the Standard State  
18 Travel Regulations, as provided in the State budget.

19           (f) The Council shall:

20                   (1) assess Maryland's existing assets, opportunities, and competitive  
21 position within the film, television, and entertainment industry;

22                   (2) study:

23                           (i) Maryland's State, local, and private assets that currently  
24 support Maryland's film, television, and entertainment industry, including key  
25 infrastructure, existing workforce, workforce pipelines, scenic profile, emerging specialties,  
26 and independent creative communities;

27                           (ii) existing State programs, agencies, offices, grant programs, and  
28 commissions across State agencies that support the film, television, and entertainment  
29 industry;

30                           (iii) models, competitive profiles, methods, and legislation that states  
31 have utilized to incentivize necessary infrastructure and workforce to support the film,  
32 television, and entertainment industry;

1 (iv) industry needs, disruptive trends, and emerging technologies  
2 within the film, television, and entertainment industry; and

3 (v) complementary industries, aligned businesses, and potential  
4 corporate, philanthropic, and other partners for the film, television, and entertainment  
5 industry; and

6 (3) make recommendations on the development of a coordinated,  
7 comprehensive strategic plan to position Maryland as an emerging leader in the film,  
8 television, and entertainment industry.

9 (g) On or before December 1, 2023, the Council shall submit a preliminary report  
10 to the Governor, the Secretary of Commerce, and, in accordance with § 2–1257 of the State  
11 Government Article, the General Assembly that includes:

12 (1) an assessment of Maryland’s existing infrastructure, creative profile,  
13 and core structural advantages that the State is uniquely positioned to leverage;

14 (2) recommendations on how to best utilize existing State offices,  
15 commissions, and programs to advance Maryland’s film, television, and entertainment  
16 industry and what, if any, additional investments should be made to support these State  
17 functions;

18 (3) a clear definition of Maryland’s creative and competitive profile; and

19 (4) recommendations to measure the economic impact of additional  
20 investment in the film, television, and entertainment industry.

21 (h) On or before September 1, 2024, the Council shall submit its final report to  
22 the Governor, the Secretary of Commerce, and, in accordance with § 2–1257 of the State  
23 Government Article, the General Assembly on:

24 (1) the matters included in the Council’s preliminary report;

25 (2) recommendations regarding the expansion of eligibility for film  
26 production incentives, including with respect to live to tape events, and the potential  
27 economic impact from that expansion;

28 (3) recommendations to strengthen the structure and funding of the State’s  
29 existing film and theatrical production incentives to ensure a greater return on investment  
30 on Maryland’s investment in the film, television, and entertainment industry;

31 (4) recommendations for additional State investment to bolster identified  
32 specialties and high-leverage growth opportunities in the film, television, and  
33 entertainment industry;

1 (5) recommendations to support and grow Maryland’s independent  
2 creative community and incentivize export promotions of Maryland–based talent;

3 (6) methods to bolster film–, television–, and entertainment–related  
4 business development and identify potential industry partnerships;

5 (7) methods to sustainably grow the film, television, and entertainment  
6 workforce and identify potential workforce development and higher education partners;  
7 and

8 (8) other recommendations, as appropriate, to support and grow the  
9 economic impact of Maryland’s film, television, and entertainment industry.]

10 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
11 1, 2023. [Section 2 of this Act shall remain effective for a period of 2 years and, at the end  
12 of June 30, 2025, Section 2 of this Act, with no further action required by the General  
13 Assembly, shall be abrogated and of no further force and effect.]

#### 14 Article – Economic Development

##### 15 SUBTITLE 4. MARYLAND ENTERTAINMENT INDUSTRY COUNCIL.

16 4–401.

17 IN THIS SUBTITLE, “COUNCIL” MEANS THE MARYLAND ENTERTAINMENT  
18 INDUSTRY COUNCIL.

19 4–402.

20 THERE IS A MARYLAND ENTERTAINMENT INDUSTRY COUNCIL IN THE  
21 DEPARTMENT.

22 4–403.

23 (A) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

24 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE  
25 PRESIDENT OF THE SENATE;

26 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE  
27 SPEAKER OF THE HOUSE;

28 (3) THE GOVERNOR’S APPOINTED SENIOR ADVISOR ON FILM,  
29 TELEVISION, AND ENTERTAINMENT;

1           **(4) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S**  
2 **DESIGNEE;**

3           **(5) THE SECRETARY OF LABOR, OR THE SECRETARY'S DESIGNEE;**

4           **(6) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT,**  
5 **OR THE SECRETARY'S DESIGNEE; AND**

6           **(7) THE FOLLOWING 19 MEMBERS APPOINTED BY THE GOVERNOR, IN**  
7 **CONSULTATION WITH THE SECRETARY:**

8           **(I) ONE EXPERT IN THE BUSINESS OF THE FILM, TELEVISION,**  
9 **AND ENTERTAINMENT INDUSTRY, SUCH AS AN EXECUTIVE, A PRODUCER, A STUDIO**  
10 **REPRESENTATIVE, OR AN INDIVIDUAL HOLDING A LEADERSHIP ROLE WITHIN THE**  
11 **INDUSTRY;**

12           **(II) ONE EXPERT IN WORKFORCE DEVELOPMENT OR HIGHER**  
13 **EDUCATION RELATED TO THE FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY;**

14           **(III) ONE EXPERT IN EMERGING TECHNOLOGIES OR**  
15 **SPECIALTIES OF THE FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY, SUCH AS**  
16 **AN EXPERT IN GAMING, ARTIFICIAL INTELLIGENCE, VISUAL EFFECTS, ANIMATION,**  
17 **POSTPRODUCTION, OR ANOTHER RELATED SPECIALTY;**

18           **(IV) ONE EXPERT IN LEGAL OR POLICY FIELDS SPECIFIC TO THE**  
19 **FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY;**

20           **(V) ONE REPRESENTATIVE OF THE INDEPENDENT FILM AND**  
21 **TELEVISION COMMUNITY;**

22           **(VI) ONE REPRESENTATIVE OF NONGOVERNMENTAL ENTITIES**  
23 **OR PHILANTHROPIC INSTITUTIONS THAT SUPPORT FILM, TELEVISION, OR**  
24 **ENTERTAINMENT DIRECTLY OR CREATIVE ECONOMIES MORE BROADLY;**

25           **(VII) ONE REPRESENTATIVE OF ORGANIZED LABOR IN THE**  
26 **ENTERTAINMENT INDUSTRY; AND**

27           **(VIII) 12 INDIVIDUALS WHO HAVE GENERAL EXPERIENCE IN THE**  
28 **FILM, TELEVISION, OR ENTERTAINMENT INDUSTRIES.**

29           **(B) (1) THE GOVERNOR MAY APPOINT UP TO THREE ADDITIONAL**  
30 **INDIVIDUALS AS HONORARY COCHAIRS OF THE COUNCIL WHO ARE:**

1 (I) INDIVIDUALS WITH EXTRAORDINARY CULTURAL CAPITAL  
2 AND COMMANDING SIGNIFICANT INFLUENCE WITHIN THE FILM, TELEVISION, AND  
3 ENTERTAINMENT INDUSTRY;

4 (II) BUSINESS LEADERS COMMANDING A SIGNIFICANT STAKE  
5 WITHIN THE FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY; OR

6 (III) INDIVIDUALS WHO HAVE DEFINED THE CURRENT  
7 CULTURAL BRAND OF THE FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY  
8 WITHIN THE STATE.

9 (2) AN INDIVIDUAL APPOINTED AS AN HONORARY COCHAIR OF THE  
10 COUNCIL SHALL BE A NONVOTING MEMBER OF THE COUNCIL WHOSE  
11 RESPONSIBILITIES SHALL BE LIMITED TO THE PROMOTION AND BUSINESS  
12 DEVELOPMENT OF MARYLAND'S FILM, TELEVISION, AND ENTERTAINMENT  
13 INDUSTRY.

14 (C) (1) (I) THE TERM OF A MEMBER UNDER SUBSECTION (A)(7) OF  
15 THIS SECTION IS 2 YEARS AND BEGINS ON JULY 1.

16 (II) A MEMBER OF THE GENERAL ASSEMBLY APPOINTED TO  
17 THE COUNCIL SERVES UNTIL A SUCCESSOR IS APPOINTED.

18 (2) (I) THIS PARAGRAPH APPLIES ONLY TO A MEMBER APPOINTED  
19 UNDER SUBSECTION (A)(7) OF THIS SECTION.

20 (II) A MEMBER MAY BE REAPPOINTED, BUT AFTER SERVING FOR  
21 THREE CONSECUTIVE 2-YEAR TERMS, A MEMBER MAY NOT BE REAPPOINTED UNTIL  
22 AT LEAST 1 YEAR AFTER THE END OF THE MEMBER'S PREVIOUS TENURE.

23 (III) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY  
24 THE TERMS PROVIDED FOR MEMBERS OF THE COUNCIL ON JULY 1, 2024.

25 (IV) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE  
26 UNTIL A SUCCESSOR HAS BEEN APPOINTED AND QUALIFIES.

27 (V) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN  
28 SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED  
29 AND QUALIFIES.

30 (D) IN APPOINTING MEMBERS, THE GOVERNOR SHALL PROVIDE, TO THE  
31 EXTENT PRACTICABLE, BALANCED GEOGRAPHIC REPRESENTATION.

1           **THE SENIOR ADVISOR ON FILM, TELEVISION, AND ENTERTAINMENT SHALL**  
2 **CHAIR THE COUNCIL.**

3 **4-405.**

4           **A MEMBER OF THE COUNCIL:**

5                   **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
6 **COUNCIL; BUT**

7                   **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
8 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.**

9 **4-406.**

10           **(A) THE COUNCIL SHALL:**

11                   **(1) ASSESS MARYLAND'S EXISTING ASSETS, OPPORTUNITIES, AND**  
12 **COMPETITIVE POSITION WITHIN THE FILM, TELEVISION, AND ENTERTAINMENT**  
13 **INDUSTRY;**

14                   **(2) STUDY:**

15                           **(I) MARYLAND'S STATE, LOCAL, AND PRIVATE ASSETS THAT**  
16 **CURRENTLY SUPPORT MARYLAND'S FILM, TELEVISION, AND ENTERTAINMENT**  
17 **INDUSTRY, INCLUDING KEY INFRASTRUCTURE, EXISTING WORKFORCE,**  
18 **WORKFORCE PIPELINES, SCENIC PROFILE, EMERGING SPECIALTIES, AND**  
19 **INDEPENDENT CREATIVE COMMUNITIES;**

20                           **(II) EXISTING STATE PROGRAMS, AGENCIES, OFFICES, GRANT**  
21 **PROGRAMS, AND COMMISSIONS ACROSS STATE AGENCIES THAT SUPPORT THE FILM,**  
22 **TELEVISION, AND ENTERTAINMENT INDUSTRY;**

23                           **(III) MODELS, COMPETITIVE PROFILES, METHODS, AND**  
24 **LEGISLATION THAT STATES HAVE UTILIZED TO INCENTIVIZE NECESSARY**  
25 **INFRASTRUCTURE AND WORKFORCE TO SUPPORT THE FILM, TELEVISION, AND**  
26 **ENTERTAINMENT INDUSTRY;**

27                           **(IV) INDUSTRY NEEDS, DISRUPTIVE TRENDS, AND EMERGING**  
28 **TECHNOLOGIES WITHIN THE FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY;**  
29 **AND**



1 (V) COMPLEMENTARY INDUSTRIES, ALIGNED BUSINESSES, AND  
2 POTENTIAL CORPORATE, PHILANTHROPIC, AND OTHER PARTNERS FOR THE FILM,  
3 TELEVISION, AND ENTERTAINMENT INDUSTRY; AND

4 (3) MAKE RECOMMENDATIONS ON THE DEVELOPMENT OF A  
5 COORDINATED, COMPREHENSIVE STRATEGIC PLAN TO POSITION MARYLAND AS AN  
6 EMERGING LEADER IN THE FILM, TELEVISION, AND ENTERTAINMENT INDUSTRY.

7 (B) THE COUNCIL MAY:

8 (1) ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE;

9 (2) ENTER INTO CONTRACTS AND AGREEMENTS;

10 (3) OBTAIN SERVICES;

11 (4) ASK ANY OTHER UNIT OF THE STATE FOR ASSISTANCE AND DATA  
12 THAT ENABLE THE COUNCIL TO CARRY OUT ITS POWERS AND DUTIES;

13 (5) ACCEPT FEDERAL MONEY FOR ANY PURPOSE OF THIS SUBTITLE;

14 AND

15 (6) ACCEPT GIFTS, DONATIONS, OR BEQUESTS FOR ANY PURPOSE OF  
16 THIS SUBTITLE.

17 4-407.

18 STAFF FOR THE COUNCIL SHALL BE PROVIDED BY:

19 (1) THE DEPARTMENT; AND

20 (2) ANY OTHER STATE AGENCY DESIGNATED BY THE GOVERNOR.

21 4-408.

22 THE COUNCIL:

23 (1) ~~SHALL PUBLISH AN ANNUAL REPORT ON OR BEFORE JANUARY 1,~~  
24 2026, AND EACH JANUARY 1 THEREAFTER, SHALL SUBMIT AN ANNUAL REPORT TO  
25 THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT  
26 ARTICLE, THE GENERAL ASSEMBLY; AND

27 (2) MAY PUBLISH OTHER MATERIAL.

28 SECTION 2. AND BE IT FURTHER ENACTED, That:

1 (a) It is the intent of the General Assembly that the Maryland Entertainment  
2 Industry Council established under Section 1 of this Act be the successor of the Maryland  
3 Entertainment Council established by Section 2 of Chapter 434 of the Acts of the General  
4 Assembly of 2023.

5 (b) Subject to the limitations of § 4–403(c) and (d) of the Economic Development  
6 Article, as enacted by Section 1 of this Act, the Governor may appoint an individual who  
7 previously served on the Maryland Entertainment Council established by Section 2 of  
8 Chapter 434 of the Acts of the General Assembly of 2023 to serve on the Maryland  
9 Entertainment Industry Council established under Section 1 of this Act.

10 (c) The terms of the initial appointed members of the Maryland Entertainment  
11 Industry Council established by Section 1 of this Act shall expire as follows:

12 (1) 10 members in 2025; and

13 (2) 9 members in 2026.

14 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,  
15 2024, the Maryland Entertainment Industry Council established under Section 1 of this  
16 Act shall submit a report to the Governor and, in accordance with § 2–1257 of the State  
17 Government Article, the General Assembly on:

18 (1) an assessment of Maryland’s existing infrastructure, creative profile,  
19 and core structural advantages that the State is uniquely positioned to leverage;

20 (2) recommendations on how to best utilize existing State offices,  
21 commissions, and programs to advance Maryland’s film, television, and entertainment  
22 industry and what, if any, additional investments should be made to support these State  
23 functions;

24 (3) a clear definition of Maryland’s creative and competitive profile;

25 (4) recommendations to measure the economic impact of additional  
26 investment in the film, television, and entertainment industry;

27 (5) recommendations regarding the expansion of eligibility for film  
28 production incentives, including with respect to live to tape events, and the potential  
29 economic impact from that expansion;

30 (6) recommendations to strengthen the structure and funding of the State’s  
31 existing film and theatrical production incentives to ensure a greater return on investment  
32 on Maryland’s investment in the film, television, and entertainment industry;

1 (7) recommendations for additional State investment to bolster identified  
2 specialties and high-leverage growth opportunities in the film, television, and  
3 entertainment industry;

4 (8) recommendations to support and grow Maryland’s independent  
5 creative community and incentivize export promotions of Maryland-based talent;

6 (9) methods to bolster film-, television-, and entertainment-related  
7 business development and identify potential industry partnerships;

8 (10) methods to sustainably grow the film, television, and entertainment  
9 workforce and identify potential workforce development and higher education partners;  
10 and

11 (11) other recommendations, as appropriate, to support and grow the  
12 economic impact of Maryland’s film, television, and entertainment industry.

13 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2024.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.