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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5454

05/06/2024 Authored by Hornstein The bill was read for the first time and referred to the Committee on Economic Development Finance and Policy

1.1 A bill for an act
1.2 relating to economic development; appropriating money for a live musical theater
1.3 production grant program.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. MINNESOTA LIVE MUSICAL THEATER PRODUCTION GRANT
1.6 PILOT PROGRAM.

1.7 Subdivision 1. Definitions. (a) For the purposes of this section, the terms defined in this
1.8 subdivision have the meanings given.

1.9 (b) "Commissioner" means the commissioner of employment and economic development.

1.10 (c) "Eligible venue" means venues located in Minnesota that have at least 1,000 seats.

1.11 (d) "Production" means productions that are scheduled for presentation in New York
1.12 City's Broadway Theater District after the original production is performed in an eligible
1.13 venue.

1.14 (e) "Tour launch" means a live stage production for which the activities comprising the
1.15 rehearsal and production period take place in an eligible venue before a tour of the original
1.16 production begins.

1.17 (f) "Live musical theater" means theater for which the musical score is performed solely
1.18 by live musicians.

1.19 Subd. 2. Eligibility and application. (a) An eligible venue seeking a grant under this
1.20 section must submit an application on a form provided by the commissioner. The application
1.21 must include certification that the eligible venue:

2.1 (1) holds a temporary theater lease agreement or representation that the venue has  
2.2 confirmed space prior to applying; and

2.3 (2) must hire no fewer local union stagehands, wardrobe, and hair and make-up workers  
2.4 as there are nonlocal workers hired by the production company. The production must hire  
2.5 no fewer live local union orchestra players, hired by local music contractors, than there are  
2.6 nonlocal musicians for in-state performances.

2.7 (b) Upon completion of the production, within 90 days, applicants shall submit verified  
2.8 documentation of eligible production costs.

2.9 (c) The commissioner's determination must be based on proper documentation of eligible  
2.10 production costs submitted for payments. Five percent of the funds appropriated for the  
2.11 program in any year may be expended for administration, including costs for independent  
2.12 audits and financial reviews of projects.

2.13 Subd. 3. **Qualifying costs of production.** Production costs for live musical theater may  
2.14 include in-state costs for:

2.15 (1) development and production of a theater concept in preparation for preview and  
2.16 premiere performances in Minnesota prior to opening on Broadway;

2.17 (2) salaries of talent, management, and labor;

2.18 (3) set construction and operations, wardrobe construction and purchase, hair and make-up  
2.19 accessories, and related services;

2.20 (4) photography, sound synchronization, lighting, and related services;

2.21 (5) arrangers, orchestrators, music preparation, and live musical performance of the  
2.22 production;

2.23 (6) rental of facilities and equipment;

2.24 (7) other in-state costs incurred during postproduction;

2.25 (8) sound, video capture and projection, and special effects;

2.26 (9) advertising and promotion of the production; and

2.27 (10) other direct costs of producing a live theater premier in accordance with generally  
2.28 accepted theater industry practice.

3.1 Sec. 2. **APPROPRIATION.**

3.2 \$1,000,000 in fiscal year 2025 is appropriated to the commissioner of employment and  
3.3 economic development to make grants under section 1 to producers of live musical theater  
3.4 productions that directly create live musical theater jobs in Minnesota. To be eligible for a  
3.5 grant, a producer may apply for up to \$250,000 or 25 percent of in-state production budget  
3.6 incurred within a six-month period. Grants are limited to the development and production  
3.7 in eligible Minnesota venues of pre-Broadway live musical theater, including preview  
3.8 performances and Minnesota premieres prior to opening on Broadway and launches of  
3.9 national tours from eligible venues in Minnesota.