

An Ordinance

This is the "model" Insurance Premium Tax Ordinance. It should be adopted by the end of the year. By adopting this model, all existing Insurance Premium Tax ordinances are repealed. Section 5 should be adopted if the municipality wishes to authorize full collection of Insurance Premium Tax by the Louisiana Municipal Advisory and Technical Services Bureau (LaMATS).

AN ORDINANCE TO PROVIDE FOR THE IMPOSITION OF A TAX ON INSURANCE PREMIUMS, AS AUTHORIZED BY L. R. S 22:1076, AND TO PROVIDE FOR RELATED MATTERS.

Be it ordained by the _____ (city, town or village) of _____ (municipality), Louisiana, that this Ordinance is hereby enacted to read as follows:

Section 1. There is hereby imposed and levied an annual license tax on any insurer engaged in the business of issuing any form of insurance policy or contract, which may now or hereafter be subject to the payment of any license tax for state purposes, all as authorized by Section 1076 of Title 22 of the Louisiana Revised Statutes of 1950 on risks located in this municipality as follows:

(1) On any insurer engaged in the business of issuing life or accident or health insurance policies, other than programs of benefits authorized or provided pursuant to the provisions of Parts I and II of Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950, or other forms of contracts or obligations covering such risks, or issuing endowment or annuity policies, or contracts, or other similar forms of contract obligations in consideration of the payment of a premium or other consideration for the issuance of such policies, contracts or obligations whether such insurer by operating in this state through an agent or other representative or otherwise;

(a) Ten Dollars on gross annual premiums up to two thousand dollars and an additional license thereafter of Seventy Dollars on each ten thousand dollars, or fraction thereof, of gross annual premiums in excess of two thousand dollars;

(b) The maximum license on such businesses, payable to this municipality by any one insurer, shall be twenty-one thousand dollars.

(2) On any insurer, engaged in the business of issuing policies, contracts or other forms of obligations covering the risk of fire, marine, transportation, surety, fidelity, indemnity, guaranty, worker's compensation, employers' liability, property damage, live stock, vehicle, automatic sprinkler, burglary, or insurance business of any other kind whatsoever in this state, whether such insurer is operating in this state through agents or other representative or otherwise, not more than the following:

(a) 1st Class: When the gross receipts are not more than two thousand dollars, the license shall be forty dollars;

(b) 2nd Class: When the gross receipts are more than two thousand dollars, and not more than four thousand dollars, the license shall be sixty dollars;

(c) 3rd Class: When the gross receipts are more than four thousand dollars, and not more than six thousand dollars, the license shall be eighty dollars;

(d) 4th Class: When the gross receipts exceed six thousand dollars, the additional license thereafter shall be seventy dollars for each ten thousand dollars, or fraction thereof, in excess of six thousand dollars;

(e) The maximum license tax on such businesses, payable to this municipality by any insurer shall be nine thousand dollars, provided that plate glass and steam boiler inspection insurers shall pay only one-third of the above rates provided in Subsection (2).

(3) The amount of license payable to this municipality as fixed by this Ordinance, shall be one-third of the amount so fixed if the payer shall file a sworn statement with the annual report required by L. R. S. Title 22, Chapter 1, Part XXIII, showing that at least one-sixth of the total admitted assets of the payer, are invested and maintained in qualifying Louisiana investments as defined in L. R. S. 22:1068(C).

Section 2. All license taxes levied herein shall be due and payable on January 1st of each year and all unpaid license taxes shall become delinquent on June 1st. A penalty of five percent per month shall be added to the amount of tax due and payable to this municipality along with the tax due. The amount of any monetary penalty assessed pursuant to this Section shall not be greater than twenty-five percent of the total amount of the tax due. The collection of delinquent accounts shall be enforced in accordance with L. R. S. 22:1076 and 47:1601.

Section 3. All ordinances in conflict herewith are hereby repealed.

Section 4. Should any provision of this ordinance or the application thereof be held invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

Section 5. Pursuant to L.R.S. 33:361, the Agreement with the Louisiana Municipal Advisory and Technical Services Bureau Corporation for collection of current and delinquent license taxes in the form attached hereto is approved, and the Mayor is authorized to execute it.

Section 6. This ordinance shall become effective on _____.

Said Ordinance having been introduced on the _____ day of _____, 200__, by _____, notice of public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, on motion of _____, seconded by _____, to adopt the Ordinance, a record vote was taken and the following was had:

YEAS:

NAYS:

ABSENT:

Whereupon, the presiding officer declared the above Ordinance duly adopted on _____ day of _____, 200__.

Clerk

Mayor