Florida Senate - 2007

CS for SB 2684

By the Committee on Community Affairs; and Senator Aronberg

578-2285-07

	576-2205-07
1	A bill to be entitled
2	An act relating to state excise tax on casualty
3	insurance premiums; amending s. 185.03, F.S.;
4	providing that a municipality that has entered
5	into an interlocal agreement to provide police
6	protection services to another incorporated
7	municipality, in its entirety, may be eligible
8	to receive the premium taxes reported for the
9	other municipality under certain circumstances;
10	authorizing the municipality receiving the
11	police protection services to enact an
12	ordinance levying a tax as provided by law;
13	amending s. 185.08, F.S.; authorizing certain
14	municipalities to assess and impose the tax to
15	receive certain police protection services;
16	providing for distribution of premium tax
17	proceeds; providing an effective date.
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19	Be It Enacted by the Legislature of the State of Florida:
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21	Section 1. Subsection (2) of section 185.03, Florida
22	Statutes, is amended to read:
23	185.03 Municipal police officers' retirement trust
24	funds; creation; applicability of provisions; participation by
25	public safety officersFor any municipality, chapter plan,
26	local law municipality, or local law plan under this chapter:
27	(2) <u>(a)</u> The provisions of This chapter applies shall
28	apply only to municipalities organized and established <u>under</u>
29	pursuant to the laws of the state, and <u>does</u> said provisions
30	shall not apply to the unincorporated areas of any county or
31	counties <u>or</u> nor shall the provisions hereof apply to any
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1 governmental entity whose police officers are eligible to 2 participate in the Florida Retirement System. (b) A municipality that has entered into an interlocal 3 4 agreement to provide police protection services to any other 5 incorporated municipality, in its entirety, for a period of 12 6 months or more may be eligible to receive the premium taxes 7 reported for such other municipality. To be eligible for the premium taxes, the municipality providing the police 8 protection services must notify the division that it has 9 entered into an interlocal agreement with another 10 municipality. The municipality receiving the police protection 11 12 services may enact an ordinance levying the tax as provided in s. 185.08. Upon being provided copies of the interlocal 13 agreement and the municipal ordinance levying the tax, the 14 division may distribute any premium taxes reported for the 15 municipality receiving the police protection services to the 16 17 participating municipality providing the police protection 18 services as long as the interlocal agreement is in effect. Section 2. Section 185.08, Florida Statutes, is 19 amended to read: 2.0 21 185.08 State excise tax on casualty insurance premiums 22 authorized; procedure. -- For any municipality, chapter plan, 23 local law municipality, or local law plan under this chapter: (1) Each incorporated municipality in this state 2.4 described and classified in s. 185.03, as well as each other 25 26 city or town of this state which on July 31, 1953, had a 27 lawfully established municipal police officers' retirement 2.8 trust fund or city fund, by whatever name known, providing 29 pension or relief benefits to police officers as provided under this chapter, may assess and impose on every insurance 30 company, corporation, or other insurer now engaged in or 31

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1 carrying on, or who shall hereafter engage in or carry on, the 2 business of casualty insurance as shown by records of the Office of Insurance Regulation of the Financial Services 3 Commission, an excise tax in addition to any lawful license or 4 excise tax now levied by each of the said municipalities, 5 6 respectively, amounting to .85 percent of the gross amount of 7 receipts of premiums from policyholders on all premiums 8 collected on casualty insurance policies covering property 9 within the corporate limits of such municipalities, respectively. 10 (2) In the case of multiple peril policies with a 11 12 single premium for both property and casualty coverages in 13 such policies, 30 percent of such premium shall be used as the basis for the .85-percent tax above. 14 (3) The excise tax shall be payable annually March 1 15 of each year after the passing of an ordinance assessing and 16 17 imposing the tax herein authorized. Installments of taxes 18 shall be paid according to the provisions of s. 624.5092(2)(a), (b), and (c). 19 20 21 This section also applies to any municipality that has entered 22 into an interlocal agreement to receive police protection 23 services from another municipality under s. 185.03. The excise tax may be levied on all premiums collected on casualty 2.4 insurance policies covering property located within the 25 corporate limits of the municipality receiving the police 26 27 protection services, but is available for distribution to the 2.8 municipality providing the police protection services. 29 Section 3. This act shall take effect upon becoming a 30 law. 31

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1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2	COMMITTEE SUBSTITUTE FOR <u>Senate Bill 2684</u>
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4	The committee substitute clarifies the authorization for the Division of Retirement in the Department of Management
5 Services to distribute state premium taxes reported for a	Services to distribute state premium taxes reported for a municipality that is receiving police protection services
6	through an interlocal agreement to the municipality providing those services.
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