

By the Committee on Banking and Insurance; and Senator Simpson

597-02470-14

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1 A bill to be entitled

2 An act relating to tax on insurance premiums; amending  
3 s. 624.509, F.S.; revising provisions relating to  
4 premium taxes paid by insurers; providing that the tax  
5 does not apply to any portion of the premium retained  
6 by a title insurance agent or agency; amending s.  
7 627.7711, F.S.; conforming provisions to changes made  
8 by the act; providing an effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Subsection (8) of section 624.509, Florida  
13 Statutes, is amended to read:

14 624.509 Premium tax; rate and computation.-

15 (8) ~~From and after July 1, 1980,~~ The premium tax authorized  
16 by this section ~~may shall~~ not be imposed on: ~~upon~~

17 (a) Any portion of the title insurance premium retained by  
18 a title insurance agent or agency; or

19 (b) Receipts of annuity premiums or considerations paid by  
20 holders in this state if the tax savings derived are credited to  
21 the annuity holders. Upon request by the Department of Revenue,  
22 an any insurer availing itself of this provision shall submit to  
23 the department evidence that ~~which~~ establishes that the tax  
24 savings derived have been credited to annuity holders. As used  
25 in this paragraph subsection, the term "holders" includes shall  
26 ~~be deemed to include~~ employers contributing to an employee's  
27 pension, annuity, or profit-sharing plan.

28 Section 2. Subsection (2) of section 627.7711, Florida  
29 Statutes, is amended to read

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30 627.7711 Definitions.—As used in this part, the term:

31 (2) "Premium" means the charge, as specified by rule of the  
32 commission, which ~~that~~ is made by a title insurer for a title  
33 insurance policy, including the charge for performance of  
34 primary title services by a title insurer or title insurance  
35 agent or agency, and incurring the risks incident to such  
36 policy, under the several classifications of title insurance  
37 contracts and forms, ~~and upon which charge a premium tax is paid~~  
38 ~~under s. 624.509~~. As used in this part or in any other law, with  
39 respect to title insurance, the word "premium" does not include  
40 a commission.

41 Section 3. This act shall take effect July 1, 2014.