

1 A bill to be entitled

2 An act relating to bail bond premiums; amending s.  
3 624.4094, F.S.; repealing a provision separating the  
4 calculation of insurance premium taxes from financial  
5 reporting for bail bond premiums; amending s. 624.509,  
6 F.S.; specifying the amount of direct written premiums  
7 for bail bonds for the purpose of calculation of  
8 certain taxes; providing an effective date.  
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10 Be It Enacted by the Legislature of the State of Florida:  
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12 Section 1. Subsection (5) of section 624.4094, Florida  
13 Statutes, is amended, and subsection (1) of that section is  
14 republished, to read:

15 624.4094 Bail bond premiums.—

16 (1) The Legislature finds that a significant portion of  
17 bail bond premiums is retained by the licensed bail bond agents  
18 or licensed managing general agents. For purposes of reporting  
19 in financial statements required to be filed with the office  
20 pursuant to s. 624.424, direct written premiums for bail bonds  
21 by a domestic insurer in this state shall be reported net of any  
22 amounts retained by licensed bail bond agents or licensed  
23 managing general agents. However, in no case shall the direct  
24 written premiums for bail bonds be less than 6.5 percent of the  
25 total consideration received by the agent for all bail bonds  
26 written by the agent. This subsection also applies to any

27 determination of compliance with s. 624.4095.

28 ~~(5) This section does not affect the reporting or payment~~  
 29 ~~of insurance premium taxes under ss. 624.509, 624.5091, and~~  
 30 ~~624.5092, and the insurance premium tax and related excise taxes~~  
 31 ~~shall continue to be calculated using gross bail bond premiums.~~

32 Section 2. Subsection (1) of section 624.509, Florida  
 33 Statutes, is amended, to read:

34 624.509 Premium tax; rate and computation.—

35 (1) In addition to the license taxes provided for in this  
 36 chapter, each insurer shall also annually, and on or before  
 37 March 1 in each year, except as to wet marine and transportation  
 38 insurance taxed under s. 624.510, pay to the Department of  
 39 Revenue a tax on insurance premiums, premiums for title  
 40 insurance, or assessments, including membership fees and policy  
 41 fees and gross deposits received from subscribers to reciprocal  
 42 or interinsurance agreements, and on annuity premiums or  
 43 considerations, received during the preceding calendar year, the  
 44 amounts thereof to be determined as set forth in this section,  
 45 to wit:

46 (a) An amount equal to 1.75 percent of the gross amount of  
 47 such receipts on account of life and health insurance policies  
 48 covering persons resident in this state and on account of all  
 49 other types of policies and contracts (except annuity policies  
 50 or contracts taxable under paragraph (b) and bail bond policies  
 51 or contracts taxable under paragraph (c)) covering property,  
 52 subjects, or risks located, resident, or to be performed in this

53 state, omitting premiums on reinsurance accepted, and less  
 54 return premiums or assessments, but without deductions:

- 55 1. For reinsurance ceded to other insurers;
- 56 2. For moneys paid upon surrender of policies or  
 57 certificates for cash surrender value;
- 58 3. For discounts or refunds for direct or prompt payment  
 59 of premiums or assessments; and
- 60 4. On account of dividends of any nature or amount paid  
 61 and credited or allowed to holders of insurance policies;  
 62 certificates; or surety, indemnity, reciprocal, or  
 63 interinsurance contracts or agreements ~~;~~ and

64 (b) An amount equal to 1 percent of the gross receipts on  
 65 annuity policies or contracts paid by holders thereof in this  
 66 state.

67 (c) An amount equal to 1.75 percent of the direct written  
 68 premiums for bail bonds excluding any amounts retained by  
 69 licensed bail bond agents or licensed managing general agents.

70 Section 3. This act shall take effect January 1, 2015.