

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative McClain offered the following:

Amendment (with title amendment)

Between lines 1138 and 1139, insert:

Section 25. Upon becoming a law, Section 624.5108, Florida Statutes, is created to read:

624.5108.--Residential homestead property policyholder insurance premium deduction; insurer credit for deductions.--

(1) An insurer must deduct from the total amount charged for a policy covering a residential property with a homestead exemption under s. 196.031, an amount equal to 1.75 percent of the premium, as defined in s. 627.403.

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15 (a) The deduction under this subsection applies to policies
16 that provide coverage for a twelve-month period and with an
17 effective date between October 1, 2024, and September 30, 2025.

18 (b) The deduction amount must appear separately on the
19 policy declaration page.

20 (c) To establish whether or not a property is a homestead
21 property under s. 196.031, the insurer must use the preliminary
22 or final tax roll, whichever is more current, that is available
23 through the Department of Revenue's website.

24 (d) When reporting policy premiums for purposes of
25 computing taxes levied under s. 624.509, full policy premium
26 value must be reported prior to application of deductions under
27 this section.

28 (2) A policyholder entitled to the deduction provided for
29 in this section who did not receive such deduction may apply to
30 its insurer for a refund in the amount of the deduction to which
31 they were entitled by providing evidence that the property in
32 question was a homestead property under s. 196.031. Such
33 evidence may include, but is not limited to, the policyholder's
34 tax notice sent by the tax collector pursuant to s. 197.322 for
35 the year in question.

36 (3) For the taxable years beginning on January 1, 2024 and
37 January 1, 2025, there is allowed a credit of 100 percent of the
38 amount of deductions provided to policyholders pursuant to
39 subsection (1) against any tax due under s. 624.509(1) after all

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40 other credits and deductions have been taken in the order
41 provided in s. 624.509(7).

42 (4) An insurer claiming a credit against premium tax
43 liability under this section is not required to pay any
44 additional retaliatory tax levied under s. 624.5091 as a result
45 of claiming such credit. Section 624.5091 does not limit such
46 credit in any manner.

47 (5) If the credit provided for under subsection (2) is not
48 fully used in any one taxable year because of insufficient tax
49 liability, the unused amount may be carried forward for a period
50 not to exceed five years.

51 (6) Every insurer required to provide a premium deduction
52 under this section must include with its quarterly and annual
53 statements under s. 624.424, the following information:

54 (a) The number of policies that received a deduction under
55 this section during the period covered by the statement; and

56 (b) The total amount of deductions provided by the insurer
57 during the period covered by the statement.

58 (7) The office must include in the reports required under
59 s. 624.315, the same information required under subsection (7).

60 (8) In addition to its existing audit and investigation
61 authority, the Department of Revenue may perform any additional
62 financial and technical audits and investigations, including
63 examining the accounts, books, and records of an insurer
64 claiming a credit under subsection (2), which are necessary to

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65 verify the information included in the tax return and to ensure
66 compliance with this section. The office shall provide technical
67 assistance when requested by the Department of Revenue on any
68 technical audits or examinations performed pursuant to this
69 section.

70 (9) In addition to its existing examination authority and
71 duties under ch. 624.316, the office shall examine the
72 information required to be reported under subsection (3) and
73 shall take corrective measures as provided in ss. 624.310(5) and
74 624.4211 for any insurer not in compliance with this section.

75 (10) The Department of Revenue and the office are
76 authorized, and all conditions are deemed met, to adopt
77 emergency rules pursuant to s. 120.54(4), Florida Statutes, to
78 implement the provisions of this section. Notwithstanding any
79 other provision of law, emergency rules adopted pursuant to this
80 subsection are effective for 6 months after adoption and may be
81 renewed during the pendency of procedures to adopt permanent
82 rules addressing the subject of the emergency rules.

83 (11) This section expires June 30, 2030.

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86 **T I T L E A M E N D M E N T**

87 Remove line 65 and insert:
88 extending the date of a future repeal; creating s. 624.5108,
89 F.S.; requiring certain insurers to provide a specified premium

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90 deduction on certain policies covering homestead properties
91 during a certain period of time; providing a credit against the
92 insurance premium tax; requiring certain insurers to report
93 specified information regarding such premium deductions to the
94 Office of Insurance Regulation; authorizing the Department of
95 Revenue to audit and investigate insurers providing such premium
96 deductions; authorizing the office to examine certain deduction
97 information; authorizing the department and the office to adopt
98 emergency rules; exempting from