

By: Stevens

To: Insurance

HOUSE BILL NO. 1476

1 AN ACT TO AMEND SECTION 83-21-25, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT ONE-HALF OF THE SURPLUS LINES INSURANCE PREMIUM
3 TAX SHALL BE DEPOSITED INTO THE SPECIAL INSURANCE DEPARTMENT FUND
4 AND ONE-HALF SHALL BE DEPOSITED INTO THE STATE FIRE ACADEMY FUND;
5 AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. Section 83-21-25, Mississippi Code of 1972, is
8 amended as follows:

9 83-21-25. The agent so licensed shall report under oath to
10 the Commissioner of Insurance, within thirty (30) days from the
11 first of January and July of each year, the amount of gross
12 premiums received by him for such insurance in nonlicensed
13 insurers, and shall pay to the Commissioner of Insurance a tax of
14 four percent (4%) thereon which shall be deposited as follows:
15 fifty percent (50%) into the Special Insurance Department Fund and
16 fifty percent (50%) into the State Fire Academy Fund. The term
17 "gross premiums" shall mean the total gross amount of premiums
18 received on each and every insurance, less returned premiums. In
19 default of the payment of any sum which may be due the state under
20 this law, the Commissioner of Insurance may sue for the same. The
21 agent so licensed shall keep a separate record of all
22 transactions, as herein provided, open at all times to the
23 inspection of the Commissioner of Insurance. The agent so
24 licensed may designate another agent that actually procured the
25 insurance from the nonlicensed insurer to report and pay, on
26 behalf of the agent so licensed, to the Commissioner of Insurance
27 the tax due the state under this law. The agent designated to pay

28 the tax shall be deemed to have the same obligations and
29 responsibilities for reporting and paying the tax due the state on
30 the insurance procured from the nonlicensed insurer as the agent
31 who was initially responsible for reporting and paying the tax,
32 and the Commissioner of Insurance may sue such agent designated to
33 pay the tax in the event such agent is in default of any sum which
34 is due the state for which the designated agent is responsible or
35 obligated to pay.

36 SECTION 2. This act shall take effect and be in force from
37 and after July 1, 2000.

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