

## DEPARTMENT OF REVENUE

## Miscellaneous Tax

RULE NO.: RULE TITLE:

12B-8.003 Tax Statement; Overpayments

PURPOSE AND EFFECT: The proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to incorporate, by reference, updates to the insurance premium tax returns and instructions to provide for reporting the credit for the property insurance discount to policyholders as provided in section 56, Chapter 2024-158, L.O.F., and the child care tax credit as provided in sections 44, 53, 54, and 55, Chapter 2024-158, L.O.F., and to provide updates to jurisdictions for

reporting premiums, taxes, surcharges, and fees for calendar year 2024.

SUMMARY: The proposed amendments to Form DR-907N [Instructions for Filing Insurance Premium Installment Payment (Form DR-907)], Form DR-908 (Florida Department of Revenue Insurance Premium Taxes and Fees Return for Calendar Year 2024), Form DR-908N(Instructions for Preparing Form DR-908, Florida Insurance Premium Taxes and Fees Return), and DR-350900 (2024 Insurance Premium Tax Information for Schedules XII and XIII, Form DR-908), incorporated, by reference, in Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), provide updated jurisdictions for reporting premiums, taxes, surcharge, and fees for 2024, and provide for claiming the property insurance discount to policyholders and the child care tax credits.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 213.06(1), 402.261(7)(a), 624.509(3), 636.066(1) FS.

LAW IMPLEMENTED: 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 213.755, 220.183, 220.191, 252.372, 288.99 (2010), 402.261, 440.51, 443.1216, 624.11, 624.402, 624.4094, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, 624.5107, 624.5108, 624.510, 624.5105, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401,

629.5011, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 14, 2025; 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

## THE FULL TEXT OF THE PROPOSED RULE IS:

## 12B-8.003 Tax Statement; Overpayments.

(1) Tax returns and reports <u>must</u> shall be made by insurers on forms prescribed by the Department. These forms are hereby incorporated by reference in this rule.

(2) through (3) No change.

Form Numb er	Title	Effecti ve Date
(4)(a) No change.		
(b) DR- 907N	Instructions for Filing Insurance Premium Installment Payment (Form DR-907) (http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX 16261)	<u>X</u>
(5)(a) DR- 908	Insurance Premium Taxes and Fees Return for Calendar Year 2024 2023 (http://www.flrules.org/Gateway/reference. asp?No=Ref-XXXXX 16262)	XX/X X 01/24
(b) DR- 908N	Instructions for Preparing Form DR-908 Florida Insurance Premium Taxes and Fees Return (http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX 16263)	XX/X X 01/24

2024 2023 Insurance Premium Tax	XX/X
Information for Schedules XII and XIII,	<u>X</u>
Form DR-908	01/24
(http://www.flrules.org/Gateway/reference.	
asp?No=Ref-XXXXX 16265)	
	Form DR-908 (http://www.flrules.org/Gateway/reference.

175.1015(5), 185.085(5), Rulemaking Authority 402.261(7)(a), 624.509(3), 636.066(1) FS. Law Implemented 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 213.755, 220.183, 220.191, 252.372, 288.99 (2010), <u>402.261</u>, <u>440.51</u>, <u>443.1216</u>, <u>624.11</u>, <u>624.402</u>, <u>624.4094</u>, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, 624.5107, 624.5108, 624.510, 624.5105, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401, 629.5011, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS. History-New 2-3-80, Formerly 12B-8.03, Amended 3-25-90, 3-10-91, 2-18-93, 6-16-94, 12-9-97, 3-23-98, 7-1-99, 10-15-01, 8-1-02, 5-4-03, 9-28-04, 6-28-05, 6-20-06, 4-5-07, 1-1-08, 1-27-09, 1-11-10, 1-12-11, 1-25-12, 1-17-13, 1-20-14, 1-20-15, 1-11-16, 1-10-17, 1-17-18, 1-8-19, 1-6-20, *12-31-20, 5-23-22, 1-1-23, 1-1-24,* 

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha Gregory

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2024

