

STATE OF FLORIDA
DEPARTMENT OF REVENUE
CHAPTER 12B-8, FLORIDA ADMINISTRATIVE CODE
INSURANCE PREMIUM TAXES, FEES AND SURCHARGES
AMENDING RULE 12B-8.001
REPEALING RULE 12B-8.015

12B-8.001 Premium Tax; Rate and Computation.

(1) No change.

(2)(a) through (b) No change.

(c) When any taxpayer fails to pay any amount due or any portion thereof, on or before the due date when the tax or installment of tax shall be required by law to be paid, interest shall be added to the amount due at ~~the following rate:~~

~~1. One percent per month (prorated daily using the daily factor of .000328767) for payments due prior to January 1, 2000.~~

~~2. For payments due on or after January 1, 2000, the rate of interest established pursuant to Section 213.235, F.S., and Rule 12-3.0015, F.A.C. (prorated daily).~~

(d) No change.

(3) Credits Against the Tax.

(a) No change.

(b) Salaries. Fifteen percent of the amount paid in salaries by the insurer to employees located or based in Florida may be credited against the net tax imposed by Section 624.509, F.S.

1. through 6. No change.

7. Salary Tax Credit Exceptions.

a. through c. No change.

~~d. Section 624.509(6)(b), F.S., provides that, to the extent that the salary tax credit is limited by the 65 percent limitation, the excess of the salary tax credit that was available and exceeded the 65 percent limitation may be transferred to any insurer that is a member of that insurer's affiliated group if such excess salary tax credit is related to salaries and wages of employees whose place of employment is located within an enterprise zone created pursuant to chapter 290, F.S. The amount of such excess salary tax credit transferred to all affiliates can not exceed 25 percent of such excess salary tax credit. An affiliated group of corporations that participates in a concurrent common paymaster arrangement as defined in Section 443.1216, F.S., is not eligible to use this provision. Any such transferred credits are subject to the same provisions and limitations set forth in Part IV, Chapter 624, F.S.~~

(c) through (e) No change.

(4) through (7) No change.

(8) The gross amount of receipts subject to tax under the provisions of paragraph (1)(a) of this rule ~~does shall~~ not include the following:

(a) through (c) No change.

(d) Crop insurance premiums received ~~on or after January 1, 1994~~, if in accordance with the Federal Crop Insurance Act, 7 U.S.C. §1501 ~~§§1501~~.

(e) through (f) No change.

~~(9) In addition to the penalty and interest imposed by the Department of Revenue, if any taxpayer fails to pay to the Department of Revenue on or before March 1 of each year any premium taxes or assessments due, the Office of Insurance Regulation may revoke its certificate~~

of authority:

Rulemaking Authority 213.06(1), 220.183(4)(d), 288.99(11) (2010), 624.5105(4)(b), 1002.395 FS. Law Implemented 175.101, 175.1015, 175.121, 175.141, 185.08(3), 185.085, 185.10, 185.12, 213.05, 213.235, 220.183(3), 288.99(11) (2010), 624.4621, 624.46226, 624.4625, 624.475, 624.509, 624.5092, 624.50921, 624.510, 624.5105, 624.51055, 624.511, 624.518, 624.519, 624.520(2), 262.7451(11), 627.3512, 627.357(9), 628.6015, 629.5011, 634.131, 634.313(2), 634.415(2), 1002.395 FS. History—New 2-3-80, Formerly 12B-8.01, Amended 3-25-90, 4-10-91, 2-18-93, 6-16-94, 10-19-94, 1-2-96, 12-9-97, 6-2-98, 4-2-00, 10-15-01, 8-1-02, 6-20-06, 9-1-09, 4-26-10, 6-6-11, 1-25-12, 7-28-15, 1-6-20,_____.

12B-8.015 Payment by Electronic Funds Transfer. ~~Where payment of taxes imposed under applicable Florida Statutes and referred to in Rules 12B-8.001, 12B-8.0012, 12B-8.002, 12B-8.006 and 12B-8.016, F.A.C., is required to be remitted by electronic funds transfer, provisions of Chapter 12-24, F.A.C., shall apply.~~

Rulemaking Authority 20.21(5), 213.06(1) FS. Law Implemented 213.755, 624.511, 624.518 FS. History—New 12-19-89, Amended 12-9-97, Repealed_____.