

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0795.01 Rebecca Bayetti x4348

HOUSE BILL 24-1119

---

HOUSE SPONSORSHIP

Mauro and Taggart,

SENATE SPONSORSHIP

(None),

---

House Committees  
Finance

Senate Committees

---

A BILL FOR AN ACT

101 CONCERNING THE USE OF MULTI-STATE FILING SYSTEMS FOR  
102 INSURANCE TAX FILINGS.

---

Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires insurance premium taxes, surplus lines taxes, and other associated state-specific insurance tax filings to be filed through a secure web-based application identified by the division of insurance. The bill also authorizes the commissioner of the division of insurance to contract with a third party to provide a secure web-based application system that allows premium taxes, surplus lines taxes, and other

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words or numbers indicate deletions from existing law.

state-specific filings to be filed for multiple states on a single application system.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Secure web-based applications, including OPTins developed  
5 by the National Association of Insurance Commissioners, facilitate the  
6 submission of premium tax, surplus lines tax, and other state-specific  
7 filings and payments to participating states.

8 (b) Premium tax and surplus lines filings and payment systems  
9 allow insurance companies and other taxpayers to electronically submit  
10 their premium tax filings, surplus lines tax filings, and associated  
11 payments electronically and efficiently.

12 (c) The premium tax and surplus lines tax filings and payment  
13 systems may also simplify filings and payments and allow insurance  
14 companies to submit premium tax, surplus lines tax, and state-specific  
15 filings and payments due to multiple states through a single system. The  
16 option for widespread use of state and national platforms provides  
17 carriers with the ability to create accounts, making duplicative data entry  
18 unnecessary, which results in consistency in their filings and reduced  
19 administrative costs.

20 (d) Many other states have transitioned or are contemplating  
21 transitioning to national and multi-state premium tax collection systems  
22 that simplify and streamline the collection of premium taxes and related  
23 filings. OPTins is currently used by at least nineteen United States  
24 jurisdictions for premium tax filings and payments. The state of Florida  
25 has created, through legislation, the not-for-profit Florida Surplus Lines

1 Service Office, which currently services twelve states.

2 **SECTION 2.** In Colorado Revised Statutes, 10-3-209, **add** (6) as  
3 follows:

4 **10-3-209. Tax on premiums collected - exemptions - penalties**  
5 **- filing system - division to contract with third parties.** (6) (a) ALL  
6 TAXES, PENALTIES, FINES, AND ASSOCIATED FILINGS REQUIRED UNDER THIS  
7 SECTION MUST BE SUBMITTED TO THE DIVISION OF INSURANCE THROUGH  
8 A SECURE WEB-BASED APPLICATION SYSTEM IDENTIFIED BY THE DIVISION  
9 OF INSURANCE. THE COMMISSIONER MAY ENTER INTO A CONTRACT WITH  
10 A QUALIFIED THIRD PARTY, INCLUDING THE NATIONAL ASSOCIATION OF  
11 INSURANCE COMMISSIONERS, FOR A SECURE WEB-BASED APPLICATION  
12 SYSTEM THAT WOULD ALLOW PREMIUM TAXES PAID BY INSURANCE  
13 COMPANIES TO BE FILED FOR MULTIPLE STATES ON A SINGLE WEB-BASED  
14 APPLICATION SYSTEM. THE THIRD PARTY MAY CHARGE THE INSURANCE  
15 COMPANY A NOMINAL FEE FOR THIS SERVICE THAT IS REASONABLY  
16 RELATED TO THE OVERALL COST OF THE SERVICE OF COLLECTING FILINGS  
17 AND PAYMENTS AND TRANSMITTING THOSE FILINGS AND PAYMENTS TO  
18 THE DIVISION OF INSURANCE. A FEE CHARGED BY THE THIRD PARTY AS  
19 PART OF THIS SUBSECTION (6) IS NOT SUBJECT TO SECTION 10-3-207 OR  
20 SUBSECTION (4)(a) OF THIS SECTION.

21 (b) PURSUANT TO ARTICLE 4 OF TITLE 24, THE COMMISSIONER MAY  
22 PROMULGATE RULES NECESSARY TO IMPLEMENT, OPERATE, AND ENFORCE  
23 THIS SUBSECTION (6).

24 (c) IN CONTRACTING WITH A QUALIFIED THIRD PARTY FOR A  
25 SECURE WEB-BASED APPLICATION SYSTEM DESCRIBED IN THIS SUBSECTION  
26 (6), THE COMMISSIONER IS EXEMPT FROM THE "PROCUREMENT CODE",  
27 ARTICLES 101 TO 112 OF TITLE 24.

1           **SECTION 3.** In Colorado Revised Statutes, 10-5-111, **add (3)** as  
2 follows:

3           **10-5-111. Tax on premiums - filing system - division to**  
4 **contract with third parties - definition.** (3) (a) ALL TAXES, PENALTIES,  
5 FINES, AND ASSOCIATED FILINGS REQUIRED PURSUANT TO THIS SECTION  
6 MUST BE SUBMITTED TO THE DIVISION OF INSURANCE THROUGH A SECURE  
7 WEB-BASED APPLICATION SYSTEM IDENTIFIED BY THE DIVISION OF  
8 INSURANCE. THE COMMISSIONER MAY ENTER INTO A CONTRACT WITH A  
9 QUALIFIED THIRD PARTY, INCLUDING THE FLORIDA SURPLUS LINE SERVICES  
10 OFFICE, FOR A SECURE WEB-BASED APPLICATION SYSTEM THAT WOULD  
11 ALLOW TAXPAYERS TO FILE TAXES FOR MULTIPLE STATES ON A SINGLE  
12 WEB-BASED APPLICATION SYSTEM. THE THIRD PARTY MAY CHARGE THE  
13 TAXPAYER A NOMINAL FEE FOR THIS SERVICE THAT IS REASONABLY  
14 RELATED TO THE OVERALL COST OF THE SERVICE OF COLLECTING FILINGS  
15 AND PAYMENTS AND TRANSMITTING THOSE FILINGS AND PAYMENTS TO  
16 THE DIVISION OF INSURANCE. A FEE CHARGED BY THE THIRD PARTY AS  
17 PART OF THIS SUBSECTION (3) IS NOT SUBJECT TO THIS SECTION, SECTION  
18 10-3-207, SECTION 10-3-209 (4)(a), OR SECTION 10-5-111.5 (1).

19           (b) PURSUANT TO ARTICLE 4 OF TITLE 24, THE COMMISSIONER MAY  
20 PROMULGATE RULES NECESSARY TO IMPLEMENT, OPERATE, AND ENFORCE  
21 THIS SUBSECTION (3).

22           (c) IN CONTRACTING WITH A QUALIFIED THIRD PARTY FOR A  
23 SECURE WEB-BASED APPLICATION SYSTEM DESCRIBED IN THIS SUBSECTION  
24 (3), THE COMMISSIONER IS EXEMPT FROM THE "PROCUREMENT CODE",  
25 ARTICLES 101 TO 112 OF TITLE 24.

26           (d) AS USED IN THIS SUBSECTION (3), "TAXPAYER" MEANS A  
27 PERSON SUBJECT TO TAX UNDER THIS SECTION 10-5-111.

1           **SECTION 4. Applicability.** This act applies to tax filings  
2 submitted on or after January 1, 2025.

3           **SECTION 5. Safety clause.** The general assembly finds,  
4 determines, and declares that this act is necessary for the immediate  
5 preservation of the public peace, health, or safety or for appropriations for  
6 the support and maintenance of the departments of the state and state  
7 institutions.