

SENATE FILE NO. SF0071

Life insurance premiums.

Sponsored by: Senator(s) Case and Representative(s) Roscoe

A BILL

for

1 AN ACT relating to insurance; exempting alien insurers from
2 specified life insurance premium taxes; requiring the
3 separate reporting of specified life insurance premiums;
4 modifying the tax rate for specified life insurance
5 premiums; repealing obsolete provisions; specifying
6 applicability; and providing for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 26-3-130(b)(i), (ii) and by creating
11 a new paragraph (iii) and 26-4-103(a)(intro), (b)(i)(D) and
12 by creating a new subparagraph (E) are amended to read:

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14 **26-3-130. Retaliatory provisions against other states**
15 **and countries.**

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2 (b) This section does not apply to:

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4 (i) Application fees, examination fees, license
5 fees, appointment fees and continuation fees for agents,
6 adjusters or consultants;~~or~~

7

8 (ii) Personal income taxes, ad valorem taxes on
9 real or personal property nor to special purpose
10 obligations or assessments imposed by another state in
11 connection with particular kinds of insurance other than
12 property insurance, except that the commissioner shall
13 consider deductions, from premium taxes or other taxes
14 otherwise payable, allowed because of real estate or
15 personal property taxes paid in determining the propriety
16 and extent of retaliatory action under this section~~i-~~ or

17

18 (iii) Life insurance premium taxes on that
19 portion of a life insurance policy's annual premium
20 exceeding one hundred thousand dollars (\$100,000.00).

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22 **26-4-103. Premium taxes; generally; preemption by**
23 **state.**

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2 (a) Each authorized and formerly authorized insurer
3 shall file with the commissioner on or before March 1 each
4 year or within any extended period the commissioner grants
5 not to exceed thirty (30) days, a report in a form the
6 commissioner prescribes showing, except for wet marine and
7 transportation insurance as defined in W.S. 26-5-107 and
8 except as provided under subsection (k) of this section,
9 total direct premium income including policy, membership
10 and other fees, and all other considerations for insurance
11 and annuity contracts, however designated, it received
12 during the immediately preceding calendar year because of
13 policies and contracts covering property, subjects or risks
14 located, resident or to be performed in this state. The
15 report shall also identify separately the premiums charged
16 on life insurance policies with annualized premiums
17 exceeding one hundred thousand dollars (\$100,000.00) for
18 the immediately preceding calendar year. The total direct
19 premium income reported shall include proper proportionate
20 allocation of premiums or consideration as to those
21 persons, property, subjects or risks in this state insured
22 or covered under policies or contracts covering persons,

1 property, subjects or risks located or resident in more
2 than one (1) state, and shall be computed after deducting:

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4 (b) At the same time the report is filed, each
5 insurer shall pay for the privilege of transacting business
6 in this state, a tax upon net premiums and net
7 considerations to be computed at the following rates:

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9 (i) As to each insurer, the tax rate, except as
10 to annuity considerations, shall be as follows:

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12 (D) Except as provided in subparagraph (E)
13 of this paragraph, for premium income received, in 1994 and
14 thereafter the tax rate shall be seventy-five hundredths
15 percent (.75%) ;

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17 (E) For premium income received,
18 seventy-five hundredths percent (.75%) on the first one
19 hundred thousand dollars (\$100,000.00) of a life insurance
20 policy's annual premium and seventy-five thousandths of one
21 percent (.075%) on that portion of a life insurance
22 policy's annual premium exceeding one hundred thousand
23 dollars (\$100,000.00).

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2 **Section 2.** W.S. 26-4-103(b)(i)(A) through (C) is
3 repealed.

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5 **Section 3.** The provisions of this act shall apply
6 only to life insurance policies issued on or after January
7 1, 2021.

8

9 **Section 4.** This act is effective January 1, 2021.

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(END)