

## HOUSE BILL NO. HB0140

Annuity premium tax.

Sponsored by: Representative(s) Gingery, Buchanan,  
Hammons, Miller, Pedersen and Quarberg and  
Senator(s) Bebout, Larson and Martin

A BILL

for

1 AN ACT relating to annuity premium taxes; repealing the  
2 annuity premium tax; making conforming amendments; and  
3 providing for an effective date.

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

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7 **Section 1.** W.S. 26-4-103(a)(intro), (i) and  
8 (b)(i)(intro) is amended to read:

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10 **26-4-103. Premium taxes; generally; preemption by**  
11 **state.**

12

13 (a) Each authorized and formerly authorized insurer  
14 shall file with the commissioner on or before March 1 each  
15 year or within any extended period the commissioner grants  
16 not to exceed thirty (30) days, a report in a form the

1 commissioner prescribes showing, except for wet marine and  
2 transportation insurance as defined in W.S. 26-5-107 and  
3 except as provided under subsection (k) of this section,  
4 total direct premium income including policy, membership  
5 and other fees, and all other considerations for insurance  
6 ~~and annuity~~ contracts, however designated, it received  
7 during the immediately preceding calendar year because of  
8 policies and contracts covering property, subjects or risks  
9 located, resident or to be performed in this state. The  
10 total direct premium income reported shall include proper  
11 proportionate allocation of premiums or consideration as to  
12 those persons, property, subjects or risks in this state  
13 insured or covered under policies or contracts covering  
14 persons, property, subjects or risks located or resident in  
15 more than one (1) state, and shall be computed after  
16 deducting:

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18 (i) The amount of return premiums on cancelled  
19 policies, but not including the return of cash surrender  
20 values on life policies; ~~or annuity contracts;~~ and

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22 (b) At the same time the report is filed, each  
23 insurer shall pay for the privilege of transacting business

1 in this state, a tax upon net premiums and net  
2 considerations to be computed at the following rates:

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4 (i) As to each insurer, the tax rate, ~~except as~~  
5 ~~to annuity considerations,~~ shall be as follows:

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7 **Section 2.** W.S. 26-4-103(b)(iii) is repealed.

8

9 **Section 3.** This act is effective January 1, 2010.

10

11

(END)