

304.45-080 Taxation of risk retention groups and insurers.

- (1) All risk retention groups and insurers providing liability insurance to purchasing groups shall be subject to taxation and shall be deemed to be insurers for the purpose of assessing and collecting taxes on premiums. All risk retention groups and insurers issuing liability insurance policies to purchasing groups shall be subject to the taxes set forth in KRS 91A.080 and 136.340 and the surcharge imposed by KRS 136.392.
- (2) All persons involved in the solicitation, negotiation, or procurement of liability insurance from a risk retention group or from an insurer issuing a liability insurance group to a purchasing group shall cooperate in the reporting and payment of taxes on premiums for risks located in this state.
- (3) Failure of risk retention groups, insurers issuing liability insurance policies to purchasing groups, and any person involved in the solicitation, negotiation, or procurement of liability insurance from a risk retention group or from an insurer issuing a liability insurance policy to a purchasing group to pay taxes in accordance with this section or to cooperate in accordance with this section is a ground for suspension or revocation of certificates of authority, licenses, or permission to do business in this state, imposition of civil penalties, or both. The commissioner may take any action necessary to assure that applicable premium taxes are paid to the appropriate taxing authorities.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1577, effective July 15, 2010. -- Amended 1990 Ky. Acts ch. 165, sec. 8, effective July 13, 1990. -- Created 1986 Ky. Acts ch. 308, sec. 8, effective July 15, 1986.