

P.L.2010, CHAPTER 21, *approved June 29, 2010*  
Assembly, No. 3005 (*Second Reprint*)  
**(CORRECTED COPY)**

1 **AN ACT** concerning certain taxes and assessments dedicated to the  
2 administrative costs of the Department of Banking and Insurance  
3 and amending P.L.1945, c.132 and P.L.1995, c.156.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. Section 13 of P.L.1995, c.156 (C.17:1C-31) is amended to  
9 read as follows:

10 13. Commencing with fiscal year 1999 and in each fiscal year  
11 thereafter, the total amount assessable to companies in any fiscal  
12 year for all special purpose assessments made pursuant to  
13 applicable law as of the effective date of this act, including the  
14 special purpose apportionment established by this act, shall not  
15 exceed **[0.20]** 0.25 percent of the combined net written premiums  
16 received, as defined in subsection b. of section 2 of this act, by all  
17 companies for the previous year.

18 (cf: P.L.1999, c.143, s.2)  
19

20 2. Section 2 of P.L.1945, c.132 (C.54:18A-2) is amended to  
21 read as follows:

22 2. (a) The tax specified in subsection (a) of section 1 of this  
23 act, except as to life insurance companies and except as to marine  
24 insurance as described by chapter 16 of Title 54 of the Revised  
25 Statutes, shall, except as hereinafter provided, be 2% upon the  
26 taxable premiums collected by such company during the year  
27 ending December 31 next preceding on all business of the company  
28 in this State, less the amount of taxes on its property, exclusive of  
29 taxes on real estate and of taxes payable pursuant to this section,  
30 paid in this State by the company pursuant to any law of this State  
31 during the said year. Any taxes paid to the treasurer of any  
32 firemen's relief association of this State pursuant to R.S.54:18-1  
33 shall be considered a part of the tax payable under this act. An  
34 additional tax of 0.1% upon such taxable premiums of such insurers  
35 shall also be paid **[**, which amount shall be dedicated to the  
36 Department of Banking and Insurance for payment of  
37 administrative costs related to its statutory duties**]**.

38 (b) Taxable premiums, collected after December 31, 1965 by an  
39 insurance company subject to the provisions of subsection (a)

**EXPLANATION** – Matter enclosed in bold-faced brackets **[ thus ]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ABU committee amendments adopted June 24, 2010.

<sup>2</sup>Assembly floor amendments adopted June 28, 2010.

1 hereof under group accident and health insurance policies on  
 2 residents of this State, and taxable premiums collected under legal  
 3 insurance policies as defined in section 3 of P.L.1981, c.160  
 4 (C.17:46C-3) on residents of this State, shall be subject to tax at the  
 5 following rates:

6	As to taxes payable in 1967	1 3/4 %
7	As to taxes payable in 1968	1 1/2 %
8	As to taxes payable in 1969	1 1/4 %
9	As to taxes payable in 1970 through 2008	1%
10	As to taxes payable in 2009	1.35%
11	As to taxes payable in 2010 and thereafter	1%

12 An additional tax of 0.05% upon such taxable premiums of such  
 13 insurers shall also be paid **],** which amount shall be dedicated to the  
 14 Department of Banking and Insurance for payment of  
 15 administrative costs related to its statutory duties **].**

16 <sup>2</sup>(c) For the filing pursuant to subsection (a) of section 1 of  
 17 P.L.1945, c.132 (C.54:18A-1) due on or before March 1, 2014 and  
 18 each filing thereafter, every domestic insurance company subject to  
 19 this section shall be allowed to reduce the amount owed pursuant to  
 20 this section by 5% of any retaliatory tax liability incurred by that  
 21 insurance company for the same filing period pursuant to the laws  
 22 of any other state in which the insurance company transacts  
 23 business. Such percentage reduction shall increase 1% per annual  
 24 filing, until reaching 15% of any retaliatory tax liability for the  
 25 filing due on or before March 1, 2024 and each year thereafter.<sup>2</sup>

26 (cf: P.L.2009, c.75, s.1)

27

28 3. Section 3 of P.L.1945, c.132 (C.54:18A-3) is amended to  
 29 read as follows:

30 3. Amount of tax, life insurance companies; additional tax. (a)  
 31 The tax specified in subsection (a) of section 1 of this act as to life  
 32 insurance companies, shall, except as hereinafter provided, be 2%  
 33 upon the taxable premiums collected by the company during the  
 34 year ending December 31 next preceding under all policies or  
 35 contracts of insurance on residents of this State, less the amount of  
 36 taxes on its property, exclusive of taxes on real estate and of taxes  
 37 payable pursuant to this section, paid in this State by the company  
 38 pursuant to any law of this State during the said year. An additional  
 39 tax of 0.1% upon such taxable premiums of such insurers shall also  
 40 be paid **],** which amount shall be dedicated to the Department of  
 41 Banking and Insurance for payment of administrative costs related  
 42 to its statutory duties **].**

43 (b) Taxable premiums, collected after December 31, 1965 by an  
 44 insurance company subject to the provisions of subsection (a)  
 45 hereof under group accident and health insurance policies on  
 46 residents of this State, and taxable premiums collected under legal  
 47 insurance policies as defined in section 3 of P.L.1981, c.160

1 (C.17:46C-3) on residents of this State, shall be subject to tax at the  
2 following rates:

3	As to taxes payable in 1967	1 3/4%
4	As to taxes payable in 1968	1 1/2%
5	As to taxes payable in 1969	1 1/4%
6	As to taxes payable in 1970 through 2008	1%
7	As to taxes payable in 2009	1.35%
8	As to taxes payable in 2010 and thereafter	1%

9 An additional tax of 0.05% upon such taxable premiums of such  
10 insurers shall also be paid [ , which amount shall be dedicated to the  
11 Department of Banking and Insurance for payment of  
12 administrative costs related to its statutory duties ].

13 <sup>1</sup>(c) For the filing pursuant to subsection (a) of section 1 of  
14 P.L.1945, c.132 (C.54:18A-1) due on or before March 1, 2014 and  
15 each filing thereafter, every domestic insurance company subject to  
16 this section shall be allowed to reduce the amount owed pursuant to  
17 this section by 5% of any retaliatory tax liability incurred by that  
18 insurance company for the same filing period pursuant to the laws  
19 of any other state in which the insurance company transacts  
20 business. Such percentage reduction shall increase 1% per annual  
21 filing, until reaching 15% of any retaliatory tax liability for the  
22 filing due on or before March 1, 2024 and each year thereafter.<sup>1</sup>

23 (cf: P.L.2009, c.75, s.2)

24

25 4. This act shall take effect immediately.

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29

30 Concerns certain taxes and assessments dedicated to the  
31 administrative costs of the DOBI.