

1 SB5
2 125366-1
3 By Senators Brooks, Glover, and Pittman
4 RFD: Banking and Insurance
5 First Read: 01-MAR-11
6 PFD: 01/18/2011

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8 SYNOPSIS: This bill would provide an incentive to
9 private homeowner insurance carriers to encourage
10 them to write homeowners policies in certain
11 geographic areas covered by the Alabama Insurance
12 Underwriting Association. This bill would provide
13 for credits against insurance premium taxes for
14 private property insurance carriers who write
15 homeowners insurance policies which include wind
16 coverage in the counties of Alabama which are
17 contiguous to the Gulf of Mexico and Mobile Bay,
18 but only where at the time of the writing of the
19 private policies the property was insured under the
20 Alabama Insurance Underwriting Association, in an
21 amount of 20 percent of the insurance premium tax
22 otherwise due in Zone 4, and 35 percent of the
23 insurance premium tax otherwise due in Zones 1, 2,
24 and 3.

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26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To provide an incentive to encourage private
4 homeowner insurance carriers to write homeowners insurance
5 policies with wind coverage in areas covered by the Alabama
6 Insurance Underwriting Association by providing certain
7 insurance premium tax credits against insurance premium taxes
8 otherwise due by private homeowner insurance carriers who
9 write homeowners insurance policies which include wind
10 coverage in the counties of Alabama which are contiguous to
11 the Gulf of Mexico and Mobile Bay, but only where at the time
12 of the writing the property was insured under the Alabama
13 Insurance Underwriting Association, in an amount of 20 percent
14 of the insurance premium tax otherwise due in Zone 4 and 35
15 percent of the tax otherwise due in Zones 1, 2, and 3.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. (a) Insurance carriers providing full
18 property and casualty coverage, to specifically include wind
19 and hail coverage, to property owners within the areas defined
20 in Section 27-1-24, Code of Alabama 1975, including any
21 portion of the area as it may be expanded from time to time
22 pursuant to Section 27-1-27, Code of Alabama 1975, but only on
23 properties that as of the time of writing are insured for wind
24 coverage through the Alabama Insurance Underwriting
25 Association, may claim as a nonrefundable credit against the
26 insurance premium tax imposed by Chapter 4A, Title 27 of the
27 Code of Alabama 1975, in an amount equal to 20 percent of the

1 insurance premium tax otherwise due on the premium written for
2 the property owners for the taxable year in Zone 4; and 35
3 percent of the insurance premium tax otherwise due on the
4 premium written for the property owners for the taxable year
5 in Zones 1, 2, and 3.

6 (b) The credit allowed by this section is available
7 only to an insurer licensed or authorized to do business in
8 this state with respect to a property and casualty insurance
9 policy providing full coverage as defined in subsection (a).

10 (c) A licensed insurer who claims the credit allowed
11 by this section shall provide information required by the
12 Department of Insurance to demonstrate that the taxpayer is
13 eligible for the credit and that the amount paid for premiums
14 for which the credit is claimed was not excluded from the
15 licensed insurer's gross income for the taxable year.

16 (d) The tax credit allowed under this section for a
17 taxable year may be claimed only once for any one structure,
18 regardless of the number of policies written on the structure.

19 (e) The department shall take the action necessary
20 to monitor and examine the use of the credit claims under this
21 section.

22 (f) This section applies to all new policies issued
23 with an effective date after the effective date of this act.

24 Section 2. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.