

BUSINESS LICENSING AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill amends the Insurance Code regarding license fees and taxes.

Highlighted Provisions:

This bill:

- ▶ amends the Insurance Code regarding license fees and taxes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

31A-3-102, as last amended by Laws of Utah 2017, Chapter 168

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **31A-3-102** is amended to read:

31A-3-102. Exclusive fees and taxes.

(1) The following are in place of any other license fee or license assessment that might otherwise be levied against a licensee by the state or a political subdivision of the state:

- (a) subject to Subsection (4), taxes and fees under this chapter;
- (b) the premium taxes under Title 59, Chapter 9, Taxation of Admitted Insurers;
- (c) the fees under Section **31A-31-108**; and
- (d) the examination costs under Section **31A-2-205**.

- 30 (2) The following are not subject to Title 59, Chapter 7, Corporate Franchise and
31 Income Taxes:
- 32 (a) an insurer that is subject to premium taxes under Title 59, Chapter 9, Taxation of
33 Admitted Insurers, regardless of whether the insurance company has a tax liability under that
34 chapter;
- 35 (b) an insurance company that engages in a transaction that is subject to taxes under
36 Section [31A-3-301](#) or [31A-3-302](#), regardless of whether the insurance company has a tax
37 liability under that section; and
- 38 (c) a captive insurance company as provided in Section [31A-3-304](#) that pays a fee
39 imposed under Section [31A-3-304](#).
- 40 (3) Unless otherwise exempt, a licensee under this title is subject to real and personal
41 property taxes.
- 42 (4) A tax or fee under this chapter is not in place of a tax or fee a municipality or
43 county imposes in accordance with Section [10-1-203](#) or [17-53-216](#).