

## CHAPTER 10

### INSURANCE COMPANIES

Section 10.1 License Tax; Basis of Levy

Section 10.2 Same; Payment

#### Section 10.1 License Tax; Basis of Levy

(a) Each life, accident, health, fire, marine, guaranty, surety, indemnity, fidelity, workmen's compensation, property damage, live stock, tornado, automobile, automatic sprinkler or burglary insurance company, society, association, corporation, firm or individual doing and conducting an insurance business of any kind in the municipality, shall pay a separate and distinct license on the business for each company represented and the licenses shall be based on the gross annual amount of premiums, as follows:

(1) Any company, society, association, firm or individual engaged in the business of issuing life or accident or health insurance policies or other forms of contracts or obligations covering such risks, or issuing endowment or annuity policies, or contracts, or other similar forms of contract obligations in consideration of the payment of a premium or other consideration for the issuance of the policies, contracts, or obligations, whether the insurance company, society, association, corporation, firm or individual be domiciled in this state or operating therein through an agent or other representative, shall be \$10.00 on gross annual premiums up to \$2,000.00 and the additional license thereafter shall be \$70.00 on each \$10,000.00 or fraction thereof, of gross annual premiums in excess of \$2,000.00. Provided that the maximum license on the business shall not exceed \$21,000.00.

(2) Any company, society, association, corporation, firm or individual, engaged in the business of issuing policies, contracts, or other forms of obligations covering the risk of fire, or marine, or river insurance, or surety, or fidelity, or indemnity, or guaranty, or workmen's compensation, or employer's liability, or property damage, or live stock, or tornado, or automobile, or automatic sprinkler, or burglary, or insurance business of any other kind whatsoever in this state, whether the insurance company, society, association, corporation, firm or individual, be domiciled in this state or operating therein through agents or other representatives, shall be the following:

**1<sup>st</sup> class:** When the gross receipts are not more than \$2,000.00, the license shall be \$25.00.

**2<sup>nd</sup> class:** When the gross receipts are more than \$2,000.00 and not more than \$4,000.00, the license shall be \$50.00.

**3<sup>rd</sup> class:** When the gross receipts are more than \$4,000.00 and not more than \$6,000.00, the license shall be \$60.00.

**4<sup>th</sup> class:** When the gross receipts exceed \$6,000.00 the additional license shall be \$70.00 for each \$10,000.00, or fraction thereof, in excess of \$6,000.00.

(b) The maximum license on the business, payable by any company, society, association, corporation, firm or individual, as provided in (a) (2), shall not exceed \$9,000.00, provided that plate glass and steam boiler inspection companies, societies, association, corporations, firms or individuals shall pay only one-third (1/3) of the above rates provided in (a) (2); and provided, further, that the amount of license payable to the municipality as fixed in (a) (1) and (a) (2) shall be one-third (1/3) of the amount so fixed if the payer shall file a sworn statement with the annual report required by state law showing that at least one-sixth (1/6) of the total admitted assets of the payer, less assets in an amount equal to the reserves on its policies issued in foreign countries in which it is authorized to do business and which countries require an investment therein as a condition of doing business, is invested and maintained, either in bonds of the state, or in bonds of municipal, school, road, or levee district, other political subdivisions of this State, or in mortgages on property located in this State, or in real property in this State which shall requisite for the convenient accommodation of the transaction of its own business, or in policy loans, or other loans to residents of this state, or to corporations organized under the laws of this state and domiciled in this state, or in stock of homestead building or loan associations organized under the laws of this state, to the extent such stock is guaranteed or insured by the Federal Deposit Insurance Corporation or other federal or state agency.

## **Section 10.2 Same; Payment**

The license tax provided in this chapter shall become due and payable on or before January first of each year and shall become delinquent on April first of each year, and shall after becoming delinquent, bear interest at the rate of six per cent (6%) per annum plus ten per cent (10%) additional on both the principal and interest as attorney's fees in all cases where an attorney is called upon to assist in the collection of such license taxes. Upon payment of the tax, the clerk shall issue to the license taxes. Upon payment of the tax, the clerk shall issue to the licensee a certificate of payment.

**Editorial Note: Municipalities are empowered to levy license taxes on insurance companies under the provisions of L.R.S. 22:1076.**

**ORDINANCE NO. FOUR**  
**JUNE 8, 1987**

BE IT ORDAINED by the Mayor and the Council of the Village of Folsom that the "Code of Ordinances" of the Village of Folsom, Chapter 10, be amended to read as follows:

**Section 10.1 License Tax; Basis of Levy**

(a) Any company, society, association, corporation, firm or individual, engaged in the business of issuing policies, contracts, or other forms of obligations covering the risk of fire, or marine, or river insurance, or surety, or fidelity, or indemnity, or guaranty, or workmen's compensation, or employer's liability, or property damage, or live stock, or tornado, or automobile, or automatic sprinkler, or burglary, or insurance business or any other kind whatsoever in this state, whether the insurance company, be domiciled in this state or operating therein through agents or other representative, shall be the following:

**1<sup>st</sup> Class:** When the gross receipts are not more the two thousand dollars, the license shall be forty (\$40.00) dollars.

**2<sup>nd</sup> Class:** When the gross receipts are more than two thousand dollars, and not more than four thousand dollars, the license shall be sixty (\$60.00) dollars.

**3<sup>rd</sup> Class:** When the gross receipts are more than four thousand dollars, and not more than six thousand dollar, the license shall be eighty (\$80.00) dollars.

**4<sup>th</sup> Class:** When the gross receipts exceed six thousand dollars, the additional license thereafter shall be seventy (\$70.00) dollars for each ten thousand dollars, or fraction thereof, in excess of six thousand dollars.

**Section 10.3 Repealer Clause**

All other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

**Section 10.4 Severability Clause**

If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance, which can be given effect without the invalid provisions items, or applications, of this ordinance are hereby declared severable.

If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance,

which can be given effect without the invalid provisions items, or applications, of this ordinance are hereby declared severable.

I certify that the above ordinance was adopted by the Town Council of the Village of Folsom at its regular meeting held on Monday, June 8, 1987 at 7:00 p.m., following the reading of said ordinance section by section, on motion by Alderman Calvin Burris and seconded by Alderwoman JoEllen McIntyre the vote there on was follows:

YEAS: 2

NAYS: 0

ABSENT: 1

GLEND A WELLS, TOWN CLERK

RAY WILLIE, JR., MAYOR

**AMENDMENT**

**CHAPTER 10**

**INSURANCE COMPANIES**

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE VILLAGE OF FOLSOM THAT THE "CODE OF ORDINANCES" OF THE VILLAGE OF FOLSOM, CHAPTER 10, BE AMENDED TO READ AS FOLLOWS:

**SECTION 10.2 SAME; PAYMENT**

THE LICENSE TAX PROVIDED IN THIS CHAPTER SHALL BECOME DUE AND PAYABLE JUNE 1 OF EACH YEAR AND SHALL AFTER BECOMING DELINQUENT, BEAR INTEREST AT THE RATE OF SIX PERCENT (6%) PER ANNUM PLUS TEN PERCENT (10%) ADDITIONAL ON BOTH PRINCIPAL AND INTEREST AS ATTORNEY'S FEES IN ALL CASES WHERE AN ATTORNEY IS CALLED UPON TO ASSIST IN THE COLLECTION OF SUCH LICENSE TAXES. UPON PAYMENT OF THE TAX, THE CLERK SHALL ISSUE TO THE LICENSEE A CERTIFICATE OF PAYMENT.

THIS AMENDMENT SHALL BECOME EFFECTIVE UPON IST PUBLICATION.

THE ABOVE AMENDMENT TO CHAPTER 10 HAS BEEN READ AND CONSIDERED BY SECTION, AND UPON A VOTE BEING TAKEN, THE FOLLOWING RESULTS WAS HAD:

YEAS: 3

NAYS: 0

ABSENT: 0

ABSTAINED: 0

WHEREUPON THE MAYOR DECLARED AMENDMENT TO SAID ORDINANCE TO BE DULY ADOPTED ON THE 9<sup>TH</sup> DAY OF November , 1992.

VILLAGE OF FOLSOM

DARRELL MAGEE, MAYOR

MARSHALL BRUMFIELD, ALDERMAN

JOHN D. MIZELL, ALDERMAN

MICHAEL EZELL, ALDERMAN

ATTEST:

MERTY FITZMORRIS, VILLAGE CLERK

**VILLAGE OF FOLSOM  
STATE OF LOUISIANA**

**ORDINANCE REPEALING CODE OF ORDINANCES  
CHAPTER 10, INSURANCE COMPANIES**

BE IT ORDAIND by the Board of Aldermen of the Village of Folsom, State of Louisiana that the Village of Folsom, Code of Ordinances, Chapter 10 "Insurance Companies," Section 10.1 "License Tax; Basis of Levy," Section 10.2 "Same; payment," Section 10.3 "Repealer Clause," and Section 10. 4 "Severability Clause" as enacted June 8, 1987 and amended November 9, 1992 be and the same is hereby repealed.

BE IF FURTHER ORDAINED that this ordinance shall take effect on and after its promulgation.

Folsom, Louisiana this 8<sup>th</sup> day of November, 1999.

WILLIE RICHARDSON, JR., Alderman

GERALD SAMBOLA, Alderman

DAVID PITTMAN, Alderman

Approved:

VILLAGE OF FOLSOM

By: MARSHELL BRUMFIELD  
Mayor

**CERTIFICATE**

I, Joyce Core, certify that the above and foregoing is a true and correct extract of the minutes of the regular session of the Village of Folsom held at the Town Hall in the Village of Folsom, Louisiana on the 8<sup>th</sup> day of November 1999. Present: Marshall Brumfield, Mayor, Willie Richardson, Jr., Alderman, Gerald Sambola, Alderman and David Pittman, Alderman. All present voted yea and there were no nays.

JOYCE CORE, Municipal Clerk

## Chapter 10

### INSURANCE COMPANIES

#### **AN ORDINANCE TO PROVIDE FOR THE IMPOSITION OF A TAX ON INSURANCE PREMIUMS, AS AUTHORIZED BY L.R.S. 22:1076, AND TO PROVIDE FOR RELATED MATTERS.**

Be it ordained by the Village of Folsom, Louisiana, that this Ordinance is hereby enacted to read as follows:

**Section 10.1** There is hereby imposed and levied an annual license tax on any insurer engaged in the business of issuing any form of insurance policy or contract, which may now or hereafter be subject to the payment of any license tax for state purposes, all as authorized by Section 1076 of Title 22 of the Louisiana Revised Statutes of 1950 on risks located in this municipality as follows:

(1) On any insurer engaged in the business of issuing life or accident or health insurance policies, other than programs of benefits authorized or provided pursuant to the provisions of Parts I and II Chapter 12 of Title 42 of the Louisiana Revised Statutes of 1950, or other forms of contracts or obligations covering such risks, or issuing endowment or annuity policies, or contracts, or other similar forms of contract obligations in consideration of the payment of a premium or other consideration for the issuance of such policies, contracts or obligations whether such insurer be operating in this state or through an agent or other representative, or otherwise;

(a) Ten Dollars on gross annual premiums up to two thousand dollars and additional license thereafter of Seventy Dollars on each ten thousand dollars, or fraction thereof, of gross annual premiums in excess of two thousand dollars;

(b) The maximum license on such businesses, payable to this municipality by any one insurer, shall not exceed twenty-one thousand dollars.

(2) On any insurer, engaged in the business of issuing policies, contracts or other forms of obligations covering the risk of fire, marine, transportation, surety, fidelity, indemnity, guaranty, worker's compensation, employer's liability, property damage, live stock, vehicle, automatic sprinkler, burglary, or insurance business of any other kind whatsoever in this state, whether such insurer is operating in this state through agents or other representative or otherwise, not more than the following:

(a) **1<sup>st</sup> Class:** When the gross receipts are not more than two thousand dollars, the license shall be forty dollars;

(b) **2<sup>nd</sup> Class:** when the gross receipts are more than two thousand dollars, and not more than four thousand dollars, the license shall be sixty dollars;

(c) **3<sup>rd</sup> Class:** When the gross receipts are more than four thousand dollars, and not more than six thousand dollars, the license shall be eighty dollars;

(d) **4<sup>th</sup> Class:** When the gross receipts exceed six thousand dollars, the additional license thereafter shall be seventy dollars for each ten thousand dollars, or fraction thereof, in excess of six thousand dollars;

(e) The maximum license tax on such businesses, payable to this municipality by any insurer shall not exceed the maximum limits of nine thousand dollars, as provided for by L.R.S. 22:1076, above referred to;

(f) Provided, that plate glass and steam boiler inspection insurers shall pay only one-third of the above rated provided in said Subsection (2); and provided further, that the amount of license payable to this municipality as fixed by this Section, shall be one third of the amount so fixed if the payer shall file a sworn statement with the annual report required by L.R.S. Title 22, Chapter 1, Part XXIII, showing that at least one-sixth of the total admitted assets of the payer, less assets in an amount equal to the reserves on its policies issued in foreign countries in which it is authorized to do business in which countries require an investment therein as a condition of doing business, is invested and maintained, either in bonds of the state, or in bonds of municipal, school, road or levee district, or other political subdivisions of this state or in mortgages on property located in this state, or in real property in this state which shall be requisite for the convenient accommodation of the transaction of its own business, or in policy loans, or other loans to residents of this state, or to corporations organized under the laws of this state and domiciled in this state, to the extent such stock is guaranteed or insured by the Federal Deposit Insurance Corporation or other federal or state agency.

**Section 10.2** All license taxes levied herein shall be due and payable on January 1<sup>st</sup> of each year and all unpaid license taxes shall become delinquent on June 1<sup>st</sup>. A penalty of five percent per month shall be added to the amount of tax due and payable to this municipality along with the tax due. The amount of any monetary penalty assessed pursuant to the Section shall not be greater than twenty-five percent of the total amount of the tax due. The collection of delinquent accounts shall be enforced in accordance with L.R.S. 22:1076 and 47:1601.

**Section 10.3** All ordinances in conflict herewith are hereby repealed.

**Section 10.4** Should any provisions of this ordinance or the application thereof be held invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

**Section 10.5** Pursuant to L.R.S. 33:361, the Agreement with the Louisiana Municipal Advisory and Technical Services Bureau Corporation for collection of current and delinquent license taxes in the form attached hereto is approved, and the Mayor is authorized to execute it.

**Section 10.6** This ordinance shall become effective on November 8, 1999.

Said Ordinance having been introduced on the 11<sup>th</sup> day of October, 1999, by Alderman Sambola, notice of public hearing having been published, said public hearing having been held, the title having been read and the Ordinance considered, on motion of Alderman Richardson, seconded by Alderman Sambola, to adopt the Ordinance, a record vote was taken and the following was had:

Yeas: 2 Nays:     Absent: 1

Whereupon, the presiding officer declared the above Ordinance duly adopted on the 8<sup>th</sup> day of November 1999.

Joyce Core, Municipal Clerk

Marshall Brumfield, Mayor