

PULASKI COUNTY FISCAL COURT

ORDINANCE NO: 310.4

THIS ORDINANCE SUPERCEDES COUNTY ORDINANCE NO: 310.1

**AN ORDINANCE IMPOSING A PREMIUM TAX ON INSURANCE
COMPANIES FOR THE PRIVILEGE OF ENGAGING IN
BUSINESS WITHIN THE COUNTY**

BE IT ORDAINED BY THE FISCAL COURT OF PULASKI COUNTY:

SECTION I. As used in this Ordinance unless the context requires otherwise:

(1) "County" means all the incorporated and unincorporated area of Pulaski County except the incorporated areas of the City of Somerset, the City of Burnside and the City of Science Hill. Other presently incorporated cities are Ferguson and Eubank.

(2) "Property" means real and tangible assets. The tax would be collected on insurance policies written for Fire and Allied Perils, Casualty, Automobile and Inland Marine, Life, and all other risks.

(3) "Premium" means any assessment collected by or any payment made to an insurance company for insurance on property or within the County; but "premium" shall not be construed to include any reinsurance premiums paid to or received by any insurance company, premiums received for insuring employers against liability for personal injuries to their employees, or death caused thereby, under the provisions of the workmen's compensation act.

(4) "Insurance Company" means any insurance company or agent doing business in the county-wide area of Pulaski County, including the incorporated portions thereof, that provides insurance on property located in Pulaski County except the incorporated areas of the City of Somerset, the City of Burnside and the City of Science Hill.

SECTION 2. PREMIUM TAX

(1) No later than thirty (30) days after the last day of quarter year, every insurance company shall file with the County Treasurer a statement of the total amount of direct premiums received during the preceding calander year for insurance on property or risks located within the County, except the incorporated areas of the City of Somerset and the City of Burnside, less premiums returned to policy holders, premiums on policies not taken, and dividends paid or credited to policy holders.

(2) Upon filing the statement, an insurance company shall pay to the County Treasurer a license tax of 5.5 percent of the premiums received less the deductions provided for in subsection (1) of this section; provided, however, that the minimum annual license tax shall be \$5.00.

(3) All premium tax fees due from insurance companies shall be due and payable quarterly no later than thirty (30) days from the last day in March, June, September and December and if not paid by this date, the insurance company shall be deemed delinquent and a penalty of 10 percent per annum may be

added.

(4) The County Treasurer shall deposit the premium taxes collected pursuant to the provisions of this Ordinance in a sinking fund to be designated as the "Pulaski County Fire Protection Sinking Fund". The fund shall be used for fire protection and communication equipment, fire department buildings and salaries, or incidental expenses for maintaining and equipping a fire protection program, or used as security for the sale of revenue bonds commensurate with the above enumerated expenditure.

(5) The Pulaski County Fire Protection Commission shall prepare an annual budget and make all recommendations concerning the disbursements from the Pulaski County Fire Protection Sinking Fund as provided for in the Pulaski County Fire Protection Plan adopted by the Fiscal Court March 29, 1979.

SECTION 3. AUDIT OF ACCOUNTS

(1) Every insurance company shall make the accounts and books of the company which reflect the premiums taxed under the provisions of this Order available to the Fiscal Court or its representative at the local agent's office, the home office, or the state office of the company; and audits of the accounts and books may be authorized by the Fiscal Court. Cost of audit shall be borne by insurance company being audited.

SECTION 4. PENALTY

(1) Any insurance company violating the provisions of this Ordinance shall be fined not less than FIFTY (\$50.00) DOLLARS nor more than ONE HUNDRED (\$100.00)

DOLLARS. The fines and court costs shall be accounted for, as directed by Kentucky Statutes and audit costs shall be accounted for, as directed by Kentucky Statutes and audit cost charged to insurance company in violation.

SECTION 5. All ordinances, resolutions, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of the conflict.

SECTION 6. Should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect.

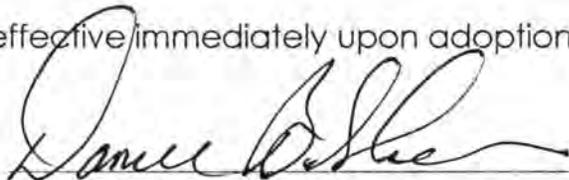
SECTION 7. This Ordinance shall become effective January 25, 2000.

First reading this 11 day of JANUARY, 2000.

Second reading this 25 day of JANUARY, 2000.

Passed this 25 day of JANUARY, 2000.

This Ordinance shall become effective immediately upon adoption.


DARRELL BESHEARS
PULASKI COUNTY JUDGE EXECUTIVE

ATTEST:


WILLARD HANSFORD
PULASKI COUNTY COURT CLERK

PUBLISHED THIS 22 DAY OF February, 2000.