

**COMMONWEALTH OF KENTUCKY
DAVISS COUNTY FISCAL COURT**

**KOC 220.37 (2023)
13-2023**

**AN ORDINANCE RELATING TO IMPOSING AND COLLECTING
AN INSURANCE PREMIUM LICENSE FEE ON INSURANCE
COMPANIES FOR THE PRIVILEGE OF DOING BUSINESS IN THE
COUNTY OF DAVIESS OUTSIDE OF THE CITY OF OWENSBORO
AND THE CITY OF WHITESVILLE EFFECTIVE JULY 1, 2024**

WHEREAS, the Commonwealth of Kentucky, in KRS 91A.080, authorizes local governments to impose a license fee upon premiums collected by Insurance Companies engaged in the business of selling and issuing casualty, automobile, inland marine, fire and allied perils, health, and life insurance policies within Daviess County; and

WHEREAS, the Daviess County Fiscal Court agrees to subsidize the operation and maintenance of the certified Daviess County Volunteer Fire Departments, and KRS 91A.080 authorizes Daviess County Fiscal Court to impose an additional license fee not to exceed 1.1 percent (1.1%) for the sole purpose of meeting operating and capital expenses and maintenance of Daviess County Fire Services and Protection to Persons and Property Expenditures; and

WHEREAS, Daviess County Fiscal Court finds that insuring the certified Daviess County Volunteer Fire Department's continued operation and maintenance provides for the best interest of the community, provides for efficient use of community resources, and serves to enhance and promote the public safety and welfare of all Daviess County citizens; and

WHEREAS, it is deemed necessary and appropriate to implement an additional insurance premium tax of 1.1 (1.1%) percent, which shall become effective July 1, 2024, which shall serve as a revenue source to fund Fire Protection Services and Protection to Persons and Property Expenditures in Daviess County.

NOW, THEREFORE, BE IT ORDAINED by the Fiscal Court of the County of Daviess, Commonwealth of Kentucky:

Section 1. That an additional "Insurance License Fee" shall be, and is imposed and shall be collected from insurance companies within Daviess County but outside the City of Owensboro and the City of Whitesville for the privilege of engaging in the business of insurance within Daviess County outside the City of Owensboro. The license fee imposed and to be collected from insurance companies for casualty, but excluding rain and hail insurance premiums on crops, automobile, inland marine, fire

and allied perils insurance shall be 1.1% which shall be effective July 1, 2024 as follows:

Section 2. The license fee imposed upon each insurance company which issues any insurance policy which is not a life insurance policy shall be 1.1% of the premiums actually collected within each calendar quarter by reason of the issuance of such policies on risks located within Daviess County but outside the corporate limits of the City of Owensboro and the City of Whitesville on those classes of businesses which such company is authorized to transact, less all premiums returned to policy holders; however, the license fee or tax imposed shall not apply to premiums received on:

- (1) Policies of group health insurance provided for state employees under KRS 18A.225;
- (2) Policies insuring employers against liability for personal injuries to their employees or death of their employees caused thereby, under the provisions of KRS Chapter 342;
- (3) Health Insurance policies issued to groups and individuals;
- (4) Policies issued through Kentucky Access created in Subtitle 17B of KRS Chapter 304;
- (5) Policies for high deductible health plans as defined in Chapter 26 U.S.C. Sec. 223(c)(2).

Section 3. All license fees imposed by this section shall be due no later than thirty (30) days after the end of each calendar quarter. License fees which are not paid on or before the due date shall bear interest at the tax interest rate as defined in KRS 131.010(6).

Every insurance company subject to the license fees imposed by this section shall annually, by March 31, furnish the county with a written breakdown of all collections in the preceding calendar year for the following categories of insurance:

- (i) Casualty; but excluding rain and hail premiums on crops;
- (ii) Automobile;
- (iii) Inland marine;
- (iv) Fire and allied perils; and
- (v) Health.

Section 4. All revenues derived from this ordinance shall be deposited in the general fund of the Daviess County Fiscal Court to fund Fire Protection Services and Protection to Persons and Property Expenditures in Daviess County.

Section 5. All motions, resolutions, orders and ordinances, or any parts thereof, that are in conflict are repealed to the extent of such conflict.

Section 6. This ordinance becomes effective immediately upon passage and publication.

INTRODUCED AND PUBLICLY READ ON FIRST READING, this the ____ day of _____, 2023.

PUBLICLY READ AND ADOPTED ON SECOND READING, this the ____ day of _____, 2023.

DAVIESS COUNTY FISCAL COURT

Charlie Castlen
Daviess County Judge/Executive

ATTEST:

Brooke Hagan, Fiscal Court Clerk

PREPARED BY:

John Burlew
Daviess County Attorney