

Bulletin No. 2020-46

December 8, 2020

RE: 2020 AFFIDAVIT FILINGS AND PREMIUM TAX REPORTS

ELANY is pleased to offer an instructional video for your use in preparing your year end Premium Tax Statement. This video can be easily accessed from the home page of ELANY's website at www.elany.org. Visit the ELANY Video Library and click on the Education/Training Videos.

For those of you who receive your reports electronically, you will receive an email notification when your tax summary reports are available. These 2020 year end reports will be posted on or about March 1, 2021. If you are still receiving your reports by mail, make sure ELANY has a current address and contact person for these reports; and if you wish to now receive your reports electronically, please contact the ELANY helpdesk at helpdesk@elany.org.

PLEASE NOTE: The New York State Department of Financial Services REQUIRES licensed excess line brokers to file annual premium tax statements electronically through its website. Please click on https://dfs.ny.gov/apps_and_licensing/agents_and_brokers/excess_line_broker_premium_tax_statement. Go to "Agents and Brokers" to the "Excess Lines: Premium Tax Statement" for information on this electronic program for online filing. You may apply for an exemption from this requirement and request to file your taxes manually. This request must be submitted in writing to the superintendent for approval at least 30 days prior to the March 15 filing date.

In preparation for the annual tax summary reports that ELANY will be sending to members, we remind you that all affidavits for accounts incepting in 2020, as well as premium bearing endorsements effective during 2020 or earlier, must be received in our office by February 15, 2021 to be included in your tax summary report. 2020 items currently in suspense are not included in the tax summary reports unless you have successfully resubmitted them for stamping on or before February 15, 2021. **Now would be a good time to review monthly reports for any discrepancies and to reconcile your books and records.**

2020 affidavits and premium bearing endorsements received after February 15, 2021 will not be included in your 2020 tax summary reports.

IT WILL EXPEDITE PROCESSING IF YOU SUBMIT SEPARATE BATCH REPORTS FOR TRANSACTIONS EFFECTIVE IN THE YEAR 2021 FROM BATCHES WITH TRANSACTIONS EFFECTIVE ANY TIME PRIOR TO JANUARY 1ST, 2021.

2019 items, which you reported in Section IV (a) or (b) of your 2019 year Premium Tax Statement, if filed with ELANY prior to February 15, 2021, will be reflected in your ELANY reports of 2020 activity. Please remember to include such premiums in Section IV (c) REVERSAL OF PREMIUM AMOUNT REPORTED IN PRIOR YEAR'S' PART IV (a) & (b) to avoid paying taxes twice on the same premium. Members, however, should remember that any year 2020 items not reported to ELANY by February 15, 2021 must be manually included in Section IV (a) of the 2020 Premium Tax Statement titled, "Premiums Not Reported to ELANY".

All current ELANY bulletins and other current ELANY publications can be found on our website at <http://www.elany.org>.

Follow ELANY



REMEMBER ALL EXCESS LINE LICENSEES MUST FILE A TAX RETURN WHETHER OR NOT THEY PLACED AN EXCESS LINE RISK IN 2020.

NOTE: The February 15, 2021 cut off date is based on Section 2118 of the Insurance Laws of New York State, which requires submission of insurance documents and original affidavits to the Excess Line Association within 45 days after a policy has been procured.

Should you have any questions regarding the content of this bulletin, please direct them to Theresa Hetherington at thetherington@elany.org or (646) 292-5561 and Nancy Born nborn@elany.org or (646) 292-5552.

All current ELANY bulletins and other current ELANY publications can be found on our website at <http://www.elany.org>.

Follow ELANY

