

December 5, 2022

RE: 2022 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.

For those of you who receive your reports electronically, you will receive an email notification when your tax summary reports are available. These 2022 year-end reports will be posted on or about March 1, 2023. 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 receive your reports electronically, please contact the ELANY helpdesk at helpdesk@elany.org.

PLEASE NOTE: The Department of Financial Services REQUIRES licensed excess line brokers to file annual premium tax statements electronically through its [website](#). 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 2022, as well as premium bearing endorsements effective during 2022 or earlier, must be received in our office by February 14, 2023, to be included in your tax summary report. 2022 items currently in suspense are not included in the tax summary reports unless you have successfully resubmitted them for stamping on or before February 14, 2023. **Now would be a good time to review monthly reports for any discrepancies and to reconcile your books and records.**

2022 affidavits and premium bearing endorsements received after February 14, 2023, will not be included in your 2022 tax summary reports.

IT WILL EXPEDITE PROCESSING IF YOU SUBMIT SEPARATE BATCH REPORTS FOR TRANSACTIONS EFFECTIVE IN THE YEAR 2023 FROM BATCHES WITH TRANSACTIONS EFFECTIVE ANY TIME PRIOR TO JANUARY 1, 2023.

2021 items, which you reported in Section IV (a) or (b) of your 2021-year Premium Tax Statement, if filed with ELANY prior to February 14, 2023, will be reflected in your ELANY reports of 2022 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 2022 items not reported to ELANY by February 14, 2023, must be manually included in Section IV (a) of the 2022 Premium Tax Statement titled, "Premiums Not Reported to ELANY."

REMEMBER ALL EXCESS LINE LICENSEES MUST FILE A TAX RETURN WHETHER OR NOT THEY PLACED AN EXCESS LINE RISK IN 2022.

NOTE: The February 14, 2023 cutoff date is based Insurance Law [§2118](#), 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.

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