

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

DEPUTY SUPERINTENDENT

Robert E. Doucette, Jr.



DEPUTY SUPERINTENDENT

Andy Romero

SUPERINTENDENT OF INSURANCE

John G. Franchini

September 3, 2019

Surplus Line Broker/Surplus Line Agency,

The Office of Superintendent of Insurance (OSI) is transitioning from OPTins for the Surplus Line Premium Tax Filings to TriTech starting for the Q3 2019 filings in November 2019. Surplus Line Forms and Instructions will be available online at:

<http://tritechsoft.com/efilenetnm/efilenet/efiledefault.aspx>.

As of September 3, 2019, OPTins will no longer be available. Please try to get all amendments done before September 3, 2019 for prior years. If you have amendments to be filed after September 3, 2019, you will need to submit them through TriTech starting November 1, 2019.

The Surplus Line Premium Tax Filings when transitioned to TriTech November 1, 2019 are payable on the following dates:

Q3 2019 – Due November 29, 2019 – Payments and Filings can be made starting November 1, 2019.

Q4 2019 – Due March 1, 2020 – Payments and Filings can be made starting February 1, 2020.

Q1 2020 – Due May 30, 2020 – Payments and Filings can be made starting May 1, 2020.

Q2 2020 – Due August 29, 2020 – Payments and Filings can be made August 1, 2020.

The Surplus Line Premium Tax Filings will be paid electronically, via ACH Debit, ACH Credit, or Wire.

For payment by E-Check/ACH Debit the link to pay will be on the TriTech site where you file the Surplus Line Forms or by using the link provided in the transmission confirmation email.

The instructions for setting up the ACH Credit/Wire and Addenda are as follows:

ACH Credit/Wire:

Receiving Bank: Wells Fargo Bank, N.A.

Bank Address: 420 Montgomery, San Francisco, CA 94104

Account Name: State of NM Office of Superintendent of Insurance

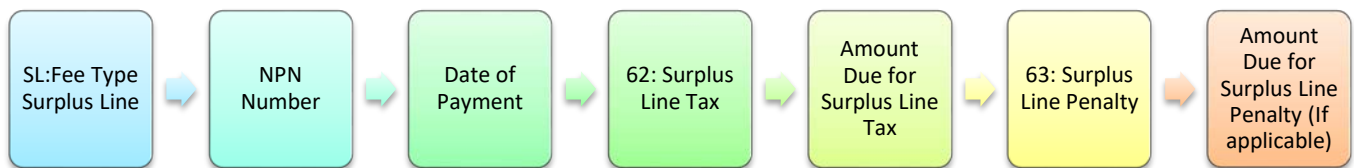
Bank Account Number: 4124307299

Bank Account Routing Number: 121000248

Please make sure to use the appropriate format for the Addenda; it must be in a CDD+ for CTX format.

Example: Addenda

SL*12345678*11012019*62*500.00*63*1,000.00 (If applicable)



- If you are making a payment through **Wire** please put the **addenda** information in “Originator to Beneficiary Info”. Also if your bank will not accept the * please use a space.
- If you are making a payment through **ACH Credit** please put the **addenda** information in “Note/Special Instruction (NTE)” under Description. **If you do not have the “Note/Special Instruction (NTE)” under Description then please put it under some type of Description category.**

Should you have any questions of concerns regarding this process please feel free to contact me, Patricia Martinez at Patricia.Martinez@state.nm.us or Lea Geckler at Leatrice.Geckler@state.nm.us.

Kind Regards,

Patricia Martinez, Bureau Chief
Financial Audit Bureau
New Mexico Office of Superintendent of Insurance
505-476-0191

**STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE**



ELECTRONIC SURPLUS LINE FILING INSTRUCTIONS

**FOR QUARTERLY SURPLUS LINE
PREMIUM TAX FILINGS FOR ALL
COMPANIES**

Filing Requirements

Surplus Lines Insurance taxpayers are subject to and as specified in NMSA 1978, Section 59A-14-12 (A). Within sixty days after expiration of a calendar quarter, the surplus lines broker shall pay to the superintendent for the use of the state a tax on gross premiums received, less returned premiums, on surplus lines business where New Mexico is the home state of the insured transacted under the surplus line broker's license during such calendar quarter as shown by the quarterly statement filed with the superintendent pursuant to Section 59A-14-11 NMSA 1978. The tax shall be at the same rate as in applicable to premiums of authorized insurers under Section 59A-6-2 NMSA 1978.

As specified in NMSA 1978, Section 59A-14-(10)(11)(12), Brokers will also be required to keep complete records of all policies, cancellations, endorsements, producer broker affidavits filing documents, reports and other related records for each quarter and must be maintained for seven years. OSI may ask for documentation as needed. However, they are not required to be filed via TriTech, with the exception of the Surplus Line Report form the Surplus Lines worksheet and the Surplus Lines Quarterly Summary Report form.

IMPORTANT:

Companies that have written zero premiums are NOT required to file quarterly Surplus Line Premium Tax Returns.

Which Form to File

For quarterly filings, all companies are required to file the following forms:

- Surplus Line Report**
- SLB Worksheet**
- Surplus Line Quarterly Summary Report**

Surplus Line tax forms and instructions are available online at:

<http://tritechsoft.com/efilenetnm/efilenet/efiledefault.aspx>

Due Dates

To be accepted as filed timely Surplus Line reports must be submitted online as follows:

Quarter 1 – Due on or before May 30th
(month 1-3) – Accept filings starting May 1st.

Quarter 2 - Due on or before August 29th
(month 4-6) – Accept filings starting August 1st.

Quarter 3 - Due on or before November 29th
(month 7-9) – Accept filings starting November 1st.

Quarter 4 - Due on or before March 1st
(month 10-12) – Accept filings starting February 1st.

Completed Returns

All fields in the form must be completed; no field should be left blank. For numeric fields requiring a balance, mark the field as zero if there is no activity or balance related to that field. All forms must be electronically signed, and the Authorized Representative must enter their Title and the Date of the filing.

Form Instructions

The form should correctly reflect the calendar year to be reported. All information on the top of the form must be completed. If applicable, indicate if the form is amended and the reason for the amendment. Record exact amounts as reported in each supporting schedule, including cents, if reported in that manner. Do not round amounts.

IMPORTANT:

For amended returns, a detailed explanation for the reason the filing was amended is required.

Surplus Line Premium Tax

Line 1

Licensee Name

Enter the name and mailing address of the Licensee.

Line 2

License Type

Pick Individual Broker or Business Entity Broker.

Line 3

National Producer Number (NPN)

Enter NPN.

Line 4

Contact Name, Phone Number, and Email

Enter Contact name, phone number and email address.

Line 5

Calculation of Tax Due (from SLB form)

Line 5 (a)

Gross Premiums

Enter total New Mexico Gross Premiums.

Line 5 (b)

Additional Premiums

Enter additional premiums - Endorsements

Line 5 (c)

Return Premiums

Enter total New Mexico returned premiums.

Line 5 (d)

Additional Fees

Enter total additional fees that Broker charges.

Line 5 (e)

Taxable Premiums

Calculated with formula.

Line 5 (f)

3.003% of Taxable Premium

Calculated with formula.

Line 5 (g)

Credit to be used in this Quarter

Enter Credit to be used. (If applicable)

Line 5 (h)

Original Amount Paid if Filing an Amendment

Enter total if submitting an amended form.

Line 5 (i)

Total Tax Due

Calculated with formula.

Line 5 (j)

Processing Fee if Payment Made via E-Check

Enter a \$3.00 processing fee if making a payment by E-Check/ACH Debit.

Line 5 (k)

Submission Filing Fee (original returns only)

A \$5.00 filing fee is applied when making Original Return filings.

Line 5 (l)

Total Amount Due

Calculated with formula.

SLB Worksheet

Columns A-N

Enter information according to Column Titles.

Surplus Line Quarterly Summary Report

Enter Name, Address, License Number, Quarter Beginning and Ending Dates, Sign and Date document.

Failure to File

Pursuant to NMSA 1978, Section 59A-14-12(D), A penalty of ten percent of the amount of tax originally due, plus one percent of such tax amount for each month or fraction thereof of delinquency after the first thirty days of delinquency, shall be paid by the surplus lines broker for failure to pay the tax in full within sixty days after expiration of the calendar quarter as provided in Subsection A of this section; except that the superintendent may waive or remit the penalty if the superintendent finds that the failure or delay in payment arose from excusable mistake or excusable inadvertence.

Information and Assistance

For any questions regarding electronic Surplus Line Premium Tax filings, please contact:

TriTech Technical Support:

Email: support@tritechsoft.com

Website:
www.tritechsoft.com/Enterprise_Support.asp

Phone: (800) 380-6407
Monday-Friday 8:00 am to 5:00 pm CT

OSI Support:

**NM Office of Superintendent of Insurance
Financial Audit Bureau**

Website: www.osi.state.nm.us

Phone: (505) 827-5781
Toll Free: 1-855-427-5674
Fax: (505) 827-4734

Monday-Friday 8:00 am to 5:00 pm MT