

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



**ELECTRONIC PREMIUM TAX FILING INSTRUCTIONS FOR ANNUAL
PREMIUM TAX RETURNS**

2019 Annual/Final Return

Filing Requirements

Taxpayers subject to and as specified in NMSA 1978, Section 59A-6-2 shall pay premium tax on insurance or contracts covering risks within New Mexico during the tax year, January 1st to December 31st, and must file premium tax returns specified by the Office of Superintendent of Insurance (OSI). As specified in NMSA 1978, Section 59A-6-2(D), The final adjustment for payments due for the prior year shall be made with the return, which shall be filed on April 15 of each year, at which time all taxes for that year are due.

IMPORTANT:

Companies that have written zero premiums are still required to file annual premium tax returns.

Form to File

For Annual/Final filings, insurers are required to file the following forms as applicable:

300 Form Life & Health

301 Casualty & Health Surtax Form

302 Property Form

303 Vehicle Form

Due Dates

To be accepted as timely the premium tax and surtax Annual/Final returns and any payments are due on or before April 15th.

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.

For forms to be considered complete, they must be electronically signed, and the Authorized Representative must enter their Title and the date of the filing.

Form Instructions

Make certain that the correct form is used. The form should reflect the correct 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.

Life & Health Premium Tax

As specified in NMSA 1978, Section 59A-6-2(D) The final adjustment for payments due for the prior year shall be made with the return, which shall be filed on April 15 of each year, at which time all taxes for that year are due.

Line 1

Direct Business Written

Enter the Direct Business Written as reported on the Schedule T of the NAIC Annual Statement

Line 2

HSD Taxable Premiums

Enter taxable premiums received through the Human Services Department as "Pass Through" Premiums on Medicaid contracts

Line 3

Total Direct Written Premiums

Software will calculate by adding lines 1 and 2

Life and Health Exempt Premiums

Line 4

Less Premiums paid by Political Subdivisions

Enter amount of premiums received by Political Subdivisions.

Line 5

Less Premium received for Medicare Title XVIII business

Line 6

Less Medicare Part D Premiums

Line 7

Less Premiums received for Federal Employees Health Benefits Program

Line 8 Less Dividends paid to policyholders

Line 9 Less Premiums received for reinsurance

Line 10 Net Premiums

Software will calculate Net Premiums by subtracting lines 4-9 from line 3

Line 11 Total Taxable Premiums

Line 12 New Mexico Premium Tax Rate- 3.003%

Line 13

Total Premium Tax Due

Software will calculate Tax Due by multiplying line 11 by line 12

Life & Health Credits & Payments

Line 14 Final MIP Assessment

Enter Medical Insurance Pool (MIP) Assessment Figures as presented on the MIP Invoice

Line 15 MIP credit at 50%

Enter Medical Insurance Pool (MIP) Assessment 50% Credit as presented on the MIP Invoice

Line 16 Final MIP Assessment

Enter Medical Insurance Pool (MIP) Assessment Figures as presented on the MIP Invoice

Line 17 MIP credit at 75%

Enter Medical Insurance Pool (MIP) Assessment 75% Credit as presented on the MIP Invoice

Line 18 Net Premium Tax Liability

Software will calculate the deductions of MIP credits from Tax Due (line 13 minus lines 15-17)

2018 Beginning Credit

This area is to report the Overpayment credit of premium taxes in prior tax year that was available as of start of 2019 tax year

Line 19 Credits applied in 2019

Enter all overpayment credit applied in 2019 this includes all credits in Quarters 1 through 4

Line 20 Credit Applied to Final Return

Enter any overpayment credit the taxpayer wishes to use to offset tax due

Remaining Credit

Software will calculate this amount by subtracting lines 19 and 20 from the Beginning Credit amount

Line 21 Total Estimated Quarterly Payments

Enter all payments made in 2019 tax year this includes all payments made in Quarters 1-4

Line 22 Premium Tax Due

Software will calculate the 2019 Tax Due after credits and payments entered (line 18 minus lines 19-21)

Line 23 Original Amount Paid

Enter the original amount paid if filing an amended return

Line 24 Final Tax Payment Made

Enter the amount the company will pay for 2019 premium taxes

Overpayment

Per NMSA 1978, Section 59A-6-5(B), the superintendent may authorize the refund of money erroneously paid as fees, licenses, penalties or taxes from the insurance department suspense fund under request for refund made within three years after the erroneous payment. In the case of premium taxes erroneously paid or overpaid in accordance with law, refund may also be requested as a credit against premium taxes due in annual or quarterly tax returns filed within three years of the erroneous or excess payment.

Note: Do not net Premium Tax due with Surtax due if one has an overpayment.

Health Surtax

Line 1 Gross Health Premiums

Enter premiums received for Health business as reported in the NAIC Business Page per NMSA 59A-6-2(C)

Surtax Exempt Premiums

Line 2 Less Premiums paid by Political Subdivisions

Enter amount of premiums received by Political Subdivisions.

Line 3 Less Dividends paid to policyholders

Line 4 Less Premiums received for reinsurance

Line 5 Less Premium received for Medicare Title XVIII business

Line 6 Less Medicare Part D Premiums

Line 7 Less Premiums received for Federal Employees Health Benefits Program

Line 8 Premiums from Dental and Vision only contracts

Line 9 Surtax Taxable Premiums

Software subtracts lines 2-8 from Line 1

Line 10 New Mexico Health Surtax Tax Rate- 1%

Line 11 Total Surtax Due

Software calculated Total Surtax Due by multiplying line 7 by line 8

2019 Beginning Surtax Credit

This area is to report the Overpayment credit of surtax in prior tax year that was available as of start of 2019 tax year

Line 12 Surtax Credits applied in 2019

Enter all surtax overpayment credit applied in 2019 this includes all surtax credits applied in Quarters 1 through 4

Line 13 Credit Applied to Final Return

Enter any surtax overpayment credit the taxpayer wishes to use to offset surtax due

Remaining Surtax Credit

Software will calculate this amount by subtracting lines 10 and 11 from the Beginning Surtax Credit amount

Line 14 Total Estimated Quarterly Payments

Enter all surtax payments made in 2019 tax year this includes all payments made in Quarters 1-4

Line 15 Surtax Tax Due

Software will calculate the 2018 Surtax Due after credits and payments entered (line 9 minus lines 10-12)

Line 16 Surtax Payment Made

Enter the amount the company will pay for 2018 surtax

Total Premium Tax and Surtax Payment Made

The amount entered should equal Line 24 from Premium Tax Due and Line 14 from Surtaxes Due.

Final Payment Method

All payments will be submitted electronically through the payment website after filings are completed.

Taxpayers have the option of submitting payment as ACH Credit or E-check (debit)

Casualty Premium Tax

As specified in NMSA 1978, Section 59A-6-2(D) The final adjustment for payments due for the prior year shall be made with the return, which shall be filed on April 15 of each year, at which time all taxes for that year are due.

Line 1**Direct Business Written**

Enter the Direct Business Written as reported on the Schedule T of the NAIC Annual Statement

Line 2**HSD Taxable Premiums**

Enter taxable premiums received through the Human Services Department as "Pass Through" Premiums on Medicaid contracts

Line 3**Total Direct Written Premiums**

Software will calculate by adding lines 1 and 2

Exempt Premiums

Line 4**Less Premiums paid by Political Subdivisions**

Enter amount of premiums received by Political Subdivisions.

Line 5**Less Premium received for Medicare Title XVIII business****Line 6****Less Medicare Part D Premiums****Line 7****Less Premiums received for Federal Employees Health Benefits Program****Line 8 Less Dividends paid to policyholders****Line 9 Less Premiums received for reinsurance****Line 10 Net Premiums**

Software will calculate Net Premiums by subtracting lines 4-9 from line 3

Line 11 Total Taxable Premiums**Line 12 New Mexico Premium Tax Rate-3.003%****Line 13****Total Premium Tax Due**

Software will calculate Tax Due by multiplying line 11 by line 12

CASUALTY CREDITS & PAYMENTS

Line 14 Final MIP Assessment

Enter Medical Insurance Pool (MIP) Assessment Figures as presented on the MIP Invoice

Line 15 MIP credit at 50%

Enter Medical Insurance Pool (MIP) Assessment 50% Credit as presented on the MIP Invoice

Line 16 Final MIP Assessment

Enter Medical Insurance Pool (MIP) Assessment Figures as presented on the MIP Invoice

Line 17 MIP credit at 75%

Enter Medical Insurance Pool (MIP) Assessment 75% Credit as presented on the MIP Invoice

Line 18 Net Premium Tax Liability

Software will calculate the deductions of MIP credits from Tax Due (line 13 minus lines 15-17)

2019 Beginning Credit

This area is to report the Overpayment credit of premium taxes in prior tax year that was available as of start of 2019 tax year

Line 19 Credits applied in 2019

Enter all overpayment credit applied in 2018 this includes all credits in Quarters 1 through 4

Line 20 Credit Applied to Final Return

Enter any overpayment credit the taxpayer wishes to use to offset tax due

Remaining Credit

Software will calculate this amount by subtracting lines 19 and 20 from the Beginning Credit amount

Line 21 Total Estimated Quarterly Payments

Enter all payments made in 2019 tax year this includes all payments made in Quarters 1-4

Line 22 Premium Tax Due

Software will calculate the 2019 Tax Due after credits and payments entered (line 18 minus lines 19-21)

Line 23 Original Amount Paid

Enter the original amount paid if filing an amended return

Line 24 Final Tax Payment Made

Enter the amount the company will pay for 2019 premium taxes

Property & Vehicle Premium Tax

Line 1

Direct Business Written

Enter the Direct Business Written as reported on the Schedule T of the NAIC Annual Statement

Line 2

HSD Taxable Premiums

Enter taxable premiums received through the Human Services Department as "Pass Through" Premiums on Medicaid contracts

Line 3

Total Direct Written Premiums

Software will calculate by adding lines 1 and 2

Property & Vehicle Exempt Premiums

Line 4

Less Premiums paid by Political Subdivisions

Enter amount of premiums received by Political Subdivisions.

Line 5

Less Dividends paid or credited to policyholders

Line 6

Less Premiums received for reinsurance

Line 7 Net Premiums

Software will calculate Net Premiums by subtracting lines 4-9 from line 3

Line 8 Total Taxable Premiums

Line 9 New Mexico Premium Tax Rate- 3.003%

Line 10

Total Premium Tax Due

Software will calculate Tax Due by multiplying line 11 by line 12

Line 11 Net Premium Tax Liability

Software will provide figure from line 10

2019 Beginning Credit

This area is to report the Overpayment credit of premium taxes in prior tax year that was available as of start of 2018 tax year

Line 12 Credits applied in 2019

Enter all overpayment credit applied in 2019 this includes all credits in Quarters 1 through 4

Line 13 Credit Applied to Final Return

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Line 15 Premium Tax Due

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Line 16 Original Amount Paid

Enter the original amount paid if filing an amended return

Line 24 Final Tax Payment Made

Enter the amount the company will pay for 2019 premium taxes

Failure to File

Pursuant to NMSA 1978, Section 59A-6-4, every insurer, nonprofit health care plan, health maintenance organization, prepaid dental plan or prearranged funeral plan transacting business in New Mexico that fails to file when due any report for taxation, regardless of whether tax is due, or to pay when due any tax or fees as required in this article shall be liable to the state for the amount thereof and for penalty of one thousand dollars (\$1,000) for each month or part thereof it has failed to file the report or pay the tax or fees after demand therefor.

See OSI Bulletin 2018-017

Note: Premium tax and/or surtax overpayments may not offset any penalty amounts due.

Information and Assistance

For any questions regarding paper premium tax filings, please contact:

Taxation and Revenue Department

Email: Inspremium.outreach@state.nm.us

Website:

<http://www.tax.newmexico.gov/insurance-premium-tax-program.aspx>

Phone: (505) 827-0801

Monday-Friday, 8:00AM to 5:00PM MT

OSI Support

**NM Office of Superintendent of Insurance
Forms and Information Only**

Website:

<https://www.osi.state.nm.us/index.php/departments/compliance-division/financial-audit-bureau/>