

SURPLUS LINES INSURANCE PREMIUM TAXES

Changes resulting from Nonadmitted and Reinsurance Reform Act of 2010 (NRRRA)

- Under the NRRRA, which was incorporated into the The Dodd–Frank Wall Street Reform and Consumer Protection Act, only the home state of the insured may require the payment of nonadmitted or surplus lines insurance premium taxes as of July 21, 2011.
- The Nonadmitted Insurance Multi-state Agreement (NIMA) provides a mechanism to report, collect, allocate and distribute surplus lines tax revenues consistent with the NRRRA. NIMA is intended to allow participating states to allocate surplus lines premium taxes for multi-state placements among participating states. Effective October 1, 2016, NIMA voluntarily dissolved.
- Another approach is the Surplus Lines Insurance Multi-State Compliance Compact (SLIMPACT), an interstate agreement that would provide for uniform requirements for the reporting, payment, collection and allocation of premium taxes for nonadmitted insurance consistent with the NRRRA. SLIMPACT has not become operational, because it has not been joined by the required ten states or states representing 40% of the U.S. surplus lines market share.
- Neither of these entities is currently operational, and most states simply collect 100% of the premium **when the state is the home state of the insured.**

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For information on independent or direct procurement, please refer to the Premium Tax Rate by Line chart in this publication

The date following each state indicates the last time information for the state was reviewed/changed.

STATE	CITE	TAX RATE/ALLOCATION WHEN THIS STATE IS THE HOME STATE OF INSURED	AMOUNT OF PREMIUM BASE	REMITTED BY	DIRECT PROCUREMENT TAX RATES
AL (10/25)	§ 27-10-31	<i>Single State Risks</i> 6% <i>Multi-state Risks</i> Member of SLIMPACT Tax and retain 100% of SL premium tax at 6% until compact is operational.	Direct premiums, less return premiums	Surplus lines broker	§ 27-10-35
AK (10/25)	§§ 21.34.180; 21.34.190; 21.33.063 Bulletin B 12-05	<i>Single State Risks</i> 2.7% 1% filing fee <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.7% 1% filing fee	Gross premiums, less return premiums; 0.75% of underwriting profit for wet marine and transportation	Surplus lines broker	§ 21.33.061
AZ (10/25)	§§ 20-416; 20-416.01	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines broker	§ 20-401.07
AR (10/25)	§ 23-65-315; Bulletin No. 5-2011	<i>Single State Risks</i> 4% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4%	Direct premiums, less return premiums	Surplus lines broker	§ 23-65-103

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CA (10/25)	Ins. § 1775.5; Rev. & Tax § 13210	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines broker	Ins. § 1760; Rev. & Tax §§ 13210 to 13220
CO (10/25)	§§ 10-5-111 to 10-5-111.5; Bulletin No. B-2.10	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Net premiums	Surplus lines broker	§§ 10-3-909; 10-5-111 to 10-5-111.5
CT (10/25)	§ 38a-743	<i>Single State Risks</i> 4% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4%	Gross premiums	Surplus lines licensee	§§ 38a-271; 38a-277
DE (10/25)	tit. 18 § 1925; tit. 18 § 702	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums; 5% of underwriting profit for wet marine and transportation	Surplus lines broker	tit. 18 §§ 1925; 1926

State Insurance Charts
Retaliation—December 2025

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DC (10/25)	§ 31-2502.40	<i>Single State Risks</i> 2% <i>Multi-state Risks</i> No provision	Gross premiums	Agent or broker	§ 31-2502.40
FL (10/25)	§§ 626.932; 626.9325; 626.921(3)(f)	<i>Single State Risks</i> 4.94% 0.3% service fee <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4.94%	Gross premiums	Surplus lines agent	§ 626.938
GA (10/25)	§ 33-5-31; Bulletin 12-EX-1	<i>Single State Risks</i> 4% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4%	Gross premiums, less return premiums	Surplus lines broker	§ 33-5-33
HI (10/25)	§ 431:8-315; Memorandum 2011-4 (E)	<i>Single State Risks</i> 4.68% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at rate where risks or exposures are located	Gross premiums, less return premiums	Surplus lines broker	§ 431:8-205

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ID (10/25)	§§ 41-1228; 41-1229; Bulletin 2011-8	<i>Single State Risks</i> 1.5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 1.5%	Premiums	Surplus lines broker	§§ 41-1229; 41-1233
IL (10/25)	215 ILCS 5/445; 425 ILCS 25/12; Bulletin 2011-9	<i>Single State Risks</i> 3.5% + applicable 1% fire marshal tax <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3.5%	Gross premiums, less return premiums	Surplus lines producer	215 ILCS 5/121-2.08; 5/445
IN (10/25)	§ 27-1-15.8-4	<i>Single State Risks</i> 2.5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.5%	Gross premiums	Surplus lines producer	§ 27-1-15.8-4
IA (10/25)	§§ 432.1; 507A.9	<i>Single State Risks</i> .95% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 1%	Gross premiums, less returned premiums	Insurer liable	§§ 432.1; 507A.9; 515I.10
KS (10/25)	§ 40-246c	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 6%	Gross premiums, less return premiums	Excess agent	§ 40-246c

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KY (10/25)	§§ 304.10-180; 304.14-030; Advisory Opinion 2011-4	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Premiums or other consideration for insurance, by whatever name called	Surplus lines broker	§ 304.11-050
LA (10/25)	§ 22:439	<i>Single State Risks</i> 4.85% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4.85%	Gross premiums	Surplus lines broker	§ 22:439
ME (10/25)	tit. 36 §§ 2531; 2532	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross direct premiums	Surplus lines producer	tit. 36, § 2531; ME Bulletin No. 378
MD (10/25)	Ins. §§ 3-324; 3-325	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines broker	Ins. §§ 4-209; 4-211
MA (10/25)	Ch. 175 § 168	<i>Single State Risks</i> 4% (defined as a fee, not a tax) <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4%	Gross premiums, less return premiums	Special insurance broker	Ch. 175 §§ 168; 168A

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MI (10/25)	§ 500.1905	<i>Single State Risks</i> 2% plus 0.5% regulatory fee <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.5% https://www.michigan.gov/difs/0,5269,7-303-22535_26617-76219--,00.html	Premiums	Surplus lines licensee	§ 500.1951
MN (10/25)	§ 2971.05	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines brokers	§§ 2971.05; 60A.209
MS (10/25)	§§ 83-21-25; 83-21-18; 83-21-19; 83-34-4	<i>Single State Risks</i> 4% 3% Nonadmitted policy fee <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4%	Gross premiums, less return premiums	Surplus lines producer	§§ 83-34-4; 83-21-25; 83-21-17(5)
MO (10/25)	§§ 384.059; 384.051; 384.057; 384.061	<i>Single State Risks</i> 5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 5%	Net premiums (gross amount of charges, less returned premiums)	Surplus lines broker	§ 384.051

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MT (10/25)	§§ 33-2-311; 33-2-705	<i>Single State Risks</i> 2.75% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.75%	Net premiums	Surplus lines producer	Admin. R. 6.6.2810; §§ 33-2-321; 33-2-323
NE (10/25)	§ 44-5506;	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines licensee	Commercial Purchaser §§ 44-5515; 44-5506
NV (10/25)	§§ 680B.027; 680B.032; 685A.180; Bulletin 12-005	<i>Single State Risks</i> 3.5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3.5%	Net direct premiums	Surplus lines broker	§§ 680B.040; 680B.027
NH (10/25)	§§ 405:29; 405:29-a 405-B:4; Bulletin No. 11-011-AB	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3% regardless of exposure.	Gross premiums, less return premiums	Surplus lines producer	§§ 406-B:11 406-B:17; 405-B:6

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NJ (10/25)	§ 17:22-6.59;	<i>Single State Risks</i> 5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 5%	Gross premiums, less return premiums	Surplus lines agent	§§ 17:22-6.64; 17:22-6.59
NM (10/25)	§ 7-40-3	<i>Single State Risks</i> 3.003% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3.003%	Gross premiums, less return premiums	Surplus lines broker	§ 59A-15-4; 7-40-3
NY (10/25)	Ins. § 2118(d); Tax § 1552	<i>Single State Risks</i> 3.6% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3.6%	Gross premiums	Excess line licensee	Tax § 1551
NC (10/25)	§ 58-21-85	<i>Single State Risks</i> 5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 5%	Gross premiums, less return premiums	Surplus lines licensee	§ 58-28-5

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ND (10/25)	§§ 26.1-44-03.1; 26.1-44-06	<i>Single State Risks</i> 1.75% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 1.75%	Gross premiums, less return premiums	Surplus lines producer	§§ 26.1-44-10; 26.1-44-03.1
OH (10/25)	§§ 3905.30; 3905.332; 3905.36; 3905.38	<i>Single State Risks</i> 5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 5%	Gross premiums, less return premiums	Surplus lines broker	§ 3905.36
OK (10/25)	tit. 36 § 1115	<i>Single State Risks</i> 6% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 6%	Gross premiums, less return premiums	Surplus lines broker	tit. 36 § 1115
OR (10/25)	§ 735.470	<i>Single State Risks</i> 2% plus 0.3% Fire Marshal tax <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.3%	Gross premiums	Surplus lines licensee	§§ 735.470; 735.417
PA (10/25)	40 P.S. § 991.1621	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines licensee	40 P.S. §§ 991.1621; 991.1622

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PR (10/25)	tit. 26 § 1013; Ruling No. D-144-2012	<i>Single State Risks</i> 9% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 9%	Total premiums	Surplus lines broker	tit. 26 § 1020
RI (10/25)	§ 27-3-38; Bulletin No. 2011-6	<i>Single State Risks</i> 4% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4%	Gross premiums, less return premiums	Surplus lines broker	§ 27-3-38.1
SC (10/25)	§§ 38-45-10; 38-45-30; 38-45-20; Bulletin No. 9-2012	<i>Single State Risks</i> 6% (comprised of 4% state tax and 2% municipal tax) <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 6%	Gross premiums, less return premiums	Surplus lines broker	§ 38-45-10
SD (10/25)	§§ 58-32-44; 58-32-45; 10-44-2; 10-44-9; Bulletin 16-05	<i>Single State Risks</i> 2.5% (0.5% fire tax may apply) <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.5% (plus applicable fire tax)	Premiums	Surplus lines broker	§§ 58-32-47; 58-32-50
TN (10/25)	§ 56-14-113	<i>Single State Risks</i> 5% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 5%	Gross premiums, less return premiums	Surplus lines agent	§ 56-4-205

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TX (10/25)	Ins. §§ 225.004; 225.006	<i>Single State Risks</i> 4.85% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4.85%	Gross premiums	Surplus lines agent	Ins. § 226.053
UT (10/25)	§§ 31A-3-301; 31A-3-303;	<i>Single State Risks</i> 4.25% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4.25%	Gross premiums, less return premiums	Surplus lines producer or insurer	§§ 31a-3-301; 31A-15-104
VT (10/25)	tit. 8 § 5035	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines broker	tit. 8 § 5036
VI (10/25)	tit. 22 §§ 660, 662	<i>Single State Risks</i> 5% <i>Multi-state Risks</i> Tax and retain proportion of SL premium allocable to the risks or exposures located in VI.	Gross premiums, less return premiums	Surplus lines broker	tit. 22 § 662
VA (10/25)	§§ 38.2-4809; 58.1-2501; 38.2-400	<i>Single State Risks</i> 2.25% plus up to 0.1% assessment for Bureau Special Fund <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 2.25%	Direct gross premiums	Surplus lines broker	§ 38.2-4809

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WA (10/25)	§§ 48.15.120; 48.14.020	<i>Single State Risks</i> 2% <i>Multi-state Risks</i> For P&C, tax and retain 100% of SL premium tax at 2%, except no tax on SL premium allocable to risks or exposures located outside the U.S. For all other lines, tax and retain proportion of SL premium allocable to the risks or exposures located in WA.	Gross premiums, less return premiums	Surplus lines broker	§ 48.14.020
WV (10/25)	§§ 33-12C-7; 33-3-33	<i>Single State Risks</i> 4% plus 0.55% surcharge <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 4.55%	Gross premiums, less return premiums	Surplus lines licensee	§ 33-12C-7
WI (10/25)	§ 618.43	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums	Surplus lines agent or broker	§§ 618.42; 618.43
WY (10/25)	§§ 26-11-102; 26-11-118; Memorandum 01-2016	<i>Single State Risks</i> 3% <i>Multi-state Risks</i> Tax and retain 100% of SL premium tax at 3%	Gross premiums, less return premiums	Surplus lines broker	§§ 26-11-118; 26-11-124

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This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Every effort has been made to provide correct and accurate summaries to assist the reader in targeting useful information. For further details, the statutes and regulations cited should be consulted. The NAIC attempts to provide current information; however, readers should consult state law for additional adoptions.