

**WAYNE COUNTY FISCAL COURT
ORDINANCE NO. _____**

AN ORDINANCE RELATING TO THE AMENDMENT AND READOPTION OF ORDINANCE NO. 220.76 IMPOSING A LICENSE FEE UPON INSURANCE COMPANIES FOR THE PRIVILEGE OF ENGAGING IN THE BUSINESS OF INSURANCE WITHIN THE COUNTY OF WAYNE AT THE RATE OF FIVE PERCENT (5%) OF THE YEARLY PREMIUMS EXCLUDING LIFE, HEALTH AND WORKER COMPENSATION INSURANCE.

SUMMARY

This ordinance shall amend and readopt Wayne County Ordinance No. 220.76 which was originally adopted on July 1, 1997 by the Wayne County Fiscal Court imposing a license fee of 5% of all insurance premiums actually collected in Wayne County Kentucky excluding Life, Health and Workers Compensation Insurance Premiums. This ordinance amends Ordinance No. 220.76 to direct that proceeds derived from said license fee tax shall be utilized to defray the general expense and liabilities of Wayne County Kentucky. That the remainder of Ordinance No. 220.76 is hereby readopted and the terms thereof shall relate back and continue to be effective as of to the time of the original adoption. Said terms including that tax is due thirty days after end of each calendar quarter.

BE IT ORDAINED BY THE COUNTY OF WAYNE KENTUCKY:

SECTION 1: There is hereby imposed on each insurance company a license fee for the privilege of engaging in the business of insurance within the County of Wayne for the calendar year 1997, and thereafter on a calendar year basis.

SECTION 2: The license fee imposed upon each insurance company which issues any insurance with the exception of life and health insurance shall be five percent (5%) of the premiums actually collected within each calendar quarter by reason of the issuance of

such policies on risks located within the County of Wayne on those classes of business which such company is authorized to transact, less all premiums returned to policy holders; however, any license fee or tax imposed upon premium receipts shall not include premiums received for insuring employers against liability for personal injuries to their employees, or the death of their employees, caused thereby, under the provision of the Worker's Compensation Act and shall not include premiums received on policies of group health insurance provided for state employees under KRS18A.225(2) and 18A.228.

SECTION 3: All license fees imposed by this ordinance shall be due no later than thirty (30) days after the end of each calendar quarter. License fees which are not paid on or before the due date shall bear interest at the tax interest rate as defined in KRS131.010 (6).

SECTION 4: Every insurance company subject to the license fees imposed by this ordinance shall annually, by March 31, furnish the County of Wayne with a written breakdown of all collection in the preceding calendar year for the following categories of insurance: (a) casualty; (b) automobile; (c) inland marine; (d) fire and allied perils.

SECTION 5: The county clerk of the county is hereby directed to transmit a copy of this ordinance and any amendment thereto to the Commission of Insurance.

SECTION 6: The proceeds of all license fees received by imposition of this Ordinance shall be used to defray the general expense and liabilities of Wayne County Kentucky.

SECTION 7: This ordinance shall become effective upon final approval by the Fiscal Court of Wayne County Kentucky.

SECTION 8: The provisions of section 6 herein which is an addition to the original provisions of Ordinance No. 220.76 shall relate back and be effective as of July 1, 1997.

SECTION 9: Each section and each provision of each section of this ordinance are severable, and if any provision, section, paragraph, sentence or part thereof, or the application thereof to any person licensee, class or group, is held by a court of law to be unconstitutional or invalid for any reason, such holding shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof , separately and independently of the rest.

SECTION 10: Introduced for first reading on the _____ day of _____ 2007, second reading and final adoption by a majority vote of the Wayne County Fiscal Court, in a duly assembled session of the _____ day of _____, 2007 and finally adopted, after due advertisement, on a motion by vote of _____ yea (s) and _____ nay (s).

HON. GREG RANKIN
COUNTY JUDGE EXECUTIVE

ATTEST:

MELISSA TURPIN
WAYNE COUNTY COURT CLERK