

applicable period of limitations, shall refund any balance of more than one dollar to such company if the company shall so request.

Approved March 20, 1963.

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CHAPTER 88—H. F. No. 229

*An act relating to insurance; changing certain dates for payment of tax, and providing for interest and penalties in certain cases; amending Minnesota Statutes 1961, Sections 60.518; and 60.63, Subdivisions 2, 3, 4, and 8; and 73.20.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 60.518, is amended to read:

60.518 **License fee.** This attorney, in lieu of all taxes, state, county, and municipal, shall pay to the state with the filing of each annual report *on or before March 1* as an annual license fee two percent of the gross premiums or deposits for the preceding calendar year, deducting all amounts returned to subscribers or credited to their accounts; and he shall pay a filing fee of \$2. *If unpaid March 1, annually, a penalty of ten percent shall accrue thereon and thereafter such sum and penalty shall draw interest at the rate of one percent per month until paid.*

Sec. 2. Minnesota Statutes 1961, Section 60.63, Subdivision 2, is amended to read:

Subd. 2. Every domestic and foreign company, except town and farmers' mutual insurance companies and domestic mutual insurance companies other than life, shall pay to the state treasurer on or before ~~April 30th~~ *March 1* annually a sum equal to two percent of the gross premiums less return premiums on all direct business received by it in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, excepting premiums written for marine insurance as specified in subdivision 6. If unpaid by such date a penalty of ten percent shall accrue thereon, and thereafter such sum and penalty shall draw interest at the rate of one percent per month until paid.

Sec. 3. Minnesota Statutes 1961, Section 60.63, Subdivision 3, is amended to read:

Subd. 3. Every domestic mutual insurance company shall pay to the state treasurer on or before ~~April thirtieth~~ *March 1* annually

**Changes or additions indicated by italics, deletions by strikeout.**

a sum equal to two percent of the gross direct fire premiums on policies effective subsequent to January 1, 1930, less return premiums on all direct business received by it, or by its agents for it, in cash or otherwise, during the preceding calendar year upon business written in any municipality in this state maintaining an organized fire department, and in any municipality served by any such organized fire department under contract; provided that the existence of such department has been certified to the commissioner and if not paid on or before ~~April thirtieth~~ *March 1* a penalty of ten percent shall accrue thereon, and thereafter such sum and penalty shall draw interest at the rate of one percent per month until paid.

Sec. 4. Minnesota Statutes 1961, Section 60.63, Subdivision 4, is amended to read:

Subd. 4. Every town and farmers' mutual insurance company shall pay to the state treasurer on or before ~~April thirtieth~~ *March 1* annually, a sum equal to two percent of the gross direct fire premiums, on policies effective subsequent to June 30, 1935, less return premiums, on all direct business received by it, or by its agents for it, in cash or otherwise, during the preceding calendar year upon business written in any municipality in this state maintaining an organized fire department, and in any municipality served by any such organized fire department under contract; provided the existence of such department has been certified to the commissioner and if not paid on or before ~~April thirtieth~~ *March 1* a penalty of ten percent shall accrue thereon, and thereafter such sum and penalty shall draw interest at the rate of one percent per month until paid.

Sec. 5. Minnesota Statutes 1961, Section 60.63, Subdivision 8, is amended to read:

Subd. 8. In determining the amount of such tax, the taxable underwriting profit of such insurer on such marine insurance business written within this state, shall be ascertained as follows:

(a) In the case of every such insurer which has written any such business within this state during three calendar years immediately preceding the year in which such taxes were payable, the taxable underwriting profit shall be determined by adding or subtracting, as the case may be, the underwriting profit or loss on all such insurance written within the United States, ascertained as hereinbefore provided, for each of such three years, and dividing by three.

(b) In the case of every such insurer other than as specified in paragraph (a) last above, such taxable underwriting profit, if any, shall be the underwriting profit, if any, on such marine insurance

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business written within this state during the taxable year, ascertained as hereinbefore provided; but after such insurer has written such marine insurance business within this state during three calendar years, an adjustment shall be made on the three year average basis by ascertaining the amount of tax payable in accordance with paragraph (a) last above.

The tax hereinbefore provided shall be paid annually by every insurer authorized to do in this state the business of marine insurance during any one or more of the next year preceding three calendar years, and the calendar year next preceding such June first shall be deemed the taxable year within the meaning of this section.

Every insurer liable to pay the tax hereinbefore provided shall, on or before the first day of June in each year, file with the state treasurer a tax return in the form prescribed by him.

The tax provided for in this section shall apply to the business of the year ending December 31, 1952, and to subsequent years.

Sec. 6. Minnesota Statutes 1961, Section 73.20, is amended to read:

**73.20 Fire insurance companies to pay cost of maintenance.** For the purpose of maintaining the office of the state fire marshal and paying all the expenses incident thereto, every insurance company, including reciprocals, interinsurance exchanges or Lloyds, doing business in the state, excepting farmers' mutual fire insurance companies and township mutual fire insurance companies, shall hereafter pay to the state treasurer on or before ~~April 30th~~ *March 1* annually, a tax upon its fire premiums or assessments or both, as follows:

A sum equal to one-half of one percent of the gross premiums and assessments, less return premiums, on all direct business received by it in this state, or by its agents for it, in cash or otherwise, during the preceding calendar year, including premiums on policies covering fire risks only on automobiles, whether written under floater form or otherwise. In the case of a mutual company or reciprocal exchange the dividends or savings paid or credited to members in this state shall be construed to be return premiums. The money so received into the state treasury shall be set aside as a special fund and it is hereby appropriated for the maintenance of the office of the state fire marshal and the expenses incident thereto. The state shall not be liable in any manner for the salary of the state fire marshal, his chief assistant, deputies, clerks, and other employees, or for the maintenance of the office of fire marshal or any expenses incident

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thereto, and the same shall be payable only from the special fund provided for in this section.

*If the tax prescribed by this section is not paid by March 1, annually, a penalty of ten percent shall accrue on such tax, and thereafter such tax and penalty shall draw interest at the rate of one percent per month until paid.*

Approved March 20, 1963.

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#### CHAPTER 89—H. F. No. 259

*An act relating to fire insurance; prescribing provisions in the Minnesota Standard Fire Insurance Policy; amending Minnesota Statutes 1961, Section 65.011, Subdivision 2.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 65.011, Subdivision 2, is amended to read:

Subd. 2. **Fire insurance; standard policy.** There shall be printed on the first or front page at the head of said "Minnesota Standard Fire Insurance Policy" the name of the insurer or insurers issuing the policy, the location of the home office or United States office of the insurer or insurers, a statement whether said insurer or insurers are stock corporations, mutual corporations, reciprocal insurers or Lloyds Underwriters; there may be added thereto such device or devices as the insurer or insurers issuing said policy may desire. Any company organized under special charter provisions may so indicate upon its policy, and may add a statement of the plan under which it operates in this state.

On said policy following such matter, printed in the English language in type of such size or sizes and arranged in such manner, as is approved by the commissioner of insurance, the following provisions and subject matter shall be stated in the following words and in the following sequence, but with the convenient placing, if desired, of such matter as will act as a cover or back for such policy when folded, with the blanks below indicated being left to be filled in at the time of the issuing of the policy, to-wit:

(Space for listing the amounts of insurance, rates and premiums for the basic coverages provided under the standard form of policy and for additional coverages or perils provided under endorsements attached. The description and location of the property covered and the

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