

**New Deduction Under Article 33 of the Tax Law for Certain Reinsurance
Premiums, and Limited Opportunity for Refund of Tax Paid on These
Premiums**

Effective for taxable years beginning on or after January 1, 1990, section 1510(c) of Article 33 of the Tax Law has been amended to allow a deduction from gross direct premiums for certain reinsurance premiums received from insurers not authorized by the Superintendent of Insurance to transact business in this state. To qualify for the deduction, the reinsurance premiums must relate to transactions authorized under section 2105 of the Insurance Law and be subject to the premiums tax on excess lines brokers under section 2118 of the Insurance Law.

(Tax Law section 1510(c)(3)(B))

How to claim a credit or refund

Any tax paid on these reinsurance premiums under section 1510 of the Tax Law as limited by section 1505 and the corresponding MTA surcharge under section 1505-a of the Tax Law, for taxable years that are open under the statute of limitations, may be claimed as a credit or refund on Form CT-8, *Claim for Credit or Refund of Corporation Tax Paid*. Any claim for credit or refund that would otherwise be barred by the statute of limitations and that is based solely on this amendment must be filed by September 15, 2003. No interest will be paid on a claim for credit or refund based on this amendment for taxable years beginning before January 1, 2003.