

For Calendar Year 2024

All Insurance Companies authorized to write Marine Line of Business must complete and file an *Ocean Marine Insurance (Premium) Tax Return (CDI FS-005)*, whether or not business was transacted during the Calendar Year of **2024**. Complete all items, including the method of tax payment.

1. **Due on or before June 16, 2025:** File one (1) *Ocean Marine Insurance (Premium) Tax Return (CDI FS-005)* with the California Department of Insurance (CDI). Groups: Prepare a separate Insurance (Premium) Tax Return and tax payment for each member company. No group filings are accepted.
2. **File Online via the CDI Premium Tax Processing System (PTPS) Online portal:**
 - a. **Register for the CDI PTPS** – The Executive Officer that filed a **2023** Insurance (Premium) Tax Return with CDI should have received instructions on system registration. If the registration communication was not received, please contact the CDI via e-mail to PremiumTaxFiling@insurance.ca.gov.
3. **Tax Payments:**
 - a. **Electronic Funds Transfer (EFT) Payment:**
 - I. To register as an EFT taxpayer, contact the CDI via e-mail to EFT@insurance.ca.gov.
 - II. **CDI encourages the use of EFT** to ensure timely receipt of payment.
 - b. **Check Payment:**
 - I. Each tax payment type must be made on separate checks payable to “California Department of Insurance”.
 - II. Send the check along with a copy of the signature page of the completed *Ocean Marine Insurance (Premium) Tax Return (CDI FS-005)* to:

California Department of Insurance
P.O. Box 1918
Sacramento, CA 95812-1918

For information regarding the EFT Program, visit [Electronic Funds Transfer \(EFT\) Program for Tax Payments](#) or contact the CDI via e-mail to EFT@insurance.ca.gov.

For questions concerning the completion of the Insurance (Premium) Tax Return, please contact the CDI via e-mail to PremiumTaxAudit@insurance.ca.gov.

Extension of Time

- **Annual Tax – CRTC section 12306:** The commissioner, for good cause shown, may extend for not to exceed 30 days the time for filing a tax return or paying any amount required to be paid with the return. The extension may be granted at any time, provided that a request therefore is filed with the commissioner within or prior to the period for which the extension may be granted.
- **Interest on Extension – CRTC section 12307:** Any insurer to whom an extension is granted shall pay, in addition to the tax, interest at the modified adjusted rate per month, or fraction thereof, established pursuant to section 6591.5 from April 1st until the date of payment.
- **To request for extension of time**, submit your written request to the CDI for review **prior to the payment due date via e-mail to PremiumTaxAudit@insurance.ca.gov**. The request is not considered granted until notice is received by the CDI. Any late and underpayment of tax shall be subject to Interest and/or Penalties assessments.

Instructions

Follow the line by line instructions within PTPS for the Ocean Marine Insurance (Premium) Tax Return for the calendar year of 2024.

Complete the following information: Name of Insurer, Mailing Address, City, State, Zip Code, Telephone Number, and State of Domicile. Also provide the Federal Tax Identification Number, California Permanent Number (CA Perm. No.), National Association of Insurance Commissioners Number (NAIC No.), EFT Taxpayer Identification Number (TIN), and select the appropriate Method of Tax Payment.

Check the appropriate box(s) for the following information: “New Company” – If filing as a new company; “Name Change” – If filing under a new name, “Final Return” - If no further business transacted due to withdrawal of the Certificate of Authority or a non-survivor of a merger during 2024, enter the effective date of the final transaction; and/or “Amended Return” – If filing to make a correction, enter the date when it was amended.

Declaration of Insurer (Tax Return, Page 6):	CRTC section 12303(a) states: “Every return required by this article to be filed with the commissioner shall be signed by the insurer or an executive officer of the insurer and shall be made under oath or contain a written declaration that it is made under penalty of perjury. A return of a foreign insurer may be signed and verified by its manager residing within this state. A return of an alien insurer may be signed and verified by the United States manager of the insurer.” Enter the First Name, Last Name, Title, and E-mail of the signing Insurer’s Executive Officer in the space provided. The Insurance (Premium) Tax Return must be physically signed.
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Pursuant to CRTC section 12281, all insurers licensed for Class 3 (Marine) who transact Ocean Marine insurance are to file an Amended Retaliatory Tax Return (Insurance (Premium) Tax Return - Schedule C) to report any Ocean Marine tax paid. The Amended Retaliatory Tax Return is to be filed with the Ocean Marine Insurance (Premium) Tax Return.

Other Instructions:

Ocean Marine Insurance Defined:

(Section 12002, As Amended by Statute of 1969, Operative January 1, 1970)

RTC section 12002. “Ocean marine insurance” means insurance written within this state upon hulls, freights, or disbursements, or upon goods, wares, merchandise, and all other personal property and interests therein, in course of exportation from, importation into any country, or transportation coastwise, including transportation by land or water from point of origin to final destination in respect to, appertaining to, or in connection with, any and all risks or perils of navigation, transit or transportation, any portion of which exportation, importation, transportation, navigation, transit, or shipment is upon any ocean, and upon the property while being prepared for and while awaiting shipment, and during any delays, storage, transshipment or reshipment incident to or in connection with the shipment or transportation. “Ocean marine insurance” includes marine builders and war risk insurance.

“Ocean marine insurance” does not, for the purpose of taxation of such insurance as provided in subdivision (g) of Section 28 of Article XIII of the Constitution, include insurance written upon: (a) A hull, which is not a documented vessel registered with the Transportation Department of the United States; or (b) Anything carried in, attached to, used in transportation of or any risk written in connection with any hull defined in (a) above, unless: The insurance is upon a customary ocean marine form and such hull and the risks mentioned in (b) above are covered for one who is in the business of: (1) Renting or chartering boats; (2) Using boats himself for commercial purposes; or (3) Building or repairing boats.

Insurance not included in “ocean marine insurance” by this section shall be taxed in accordance with the other provisions of subdivision (g) Section 28 of Article XIII of the Constitution.

The 1969 amendment of this section shall be construed as a restatement and continuation of the law existing prior to such amendment.

Amended Insurance (Premium) Tax Return – Tax Refund

- 1. A claim for refund shall be in writing and shall state the specific grounds upon which it is founded. (See CRTC sections 12978 and 12979, and section 12432 for statute of limitations for notice of deficiency assessment.) Note: The California Department of Tax and Fee Administration (CDTFA) will not accept a claim for refund from tax years that have expired.**
 - It must be indicated that an Amended Insurance (Premium) Tax Return filing is being made with the Amendment Date provided.
 - Do not deduct or credit the requested refund when filing any future Insurance (Premium) Tax Returns or tax prepayments due. The amount claimed is not a refund until certified as correct and a Notice of Refund is issued to you. Any late and underpayment of tax shall be subject to Interest and/or Penalties assessments.
 - For Insurers only: The prepayment amount will remain unchanged from the original amount, which is based on the original Insurance (Premium) Tax Return as filed and processed by the CDI.
- 2. File the Amended Insurance (Premium) Tax Return with the CDI:**
 - For the **2024** Amended Insurance (Premium) Tax Return, file online via the CDI PTPS at [Tax Forms, Instructions & Information](#) and attach an explanation letter and supporting documentation to reconcile with the total amount of refund being claimed. CDI may request for additional information during the review.
 - For the **2023** Amended Insurance (Premium) Tax Return and prior tax years (active tax years only), file by e-mail to PremiumTaxAudit@insurance.ca.gov.
- 3. File the Amended Insurance (Premium) Tax Return with the CDTFA:**
 - Submit your request online: Go to <https://onlineservices.cdtfa.ca.gov/> and login with username and password if you have an account with the CDTFA, otherwise select "Claim a Refund or Request Relief for Insurance" under Limited Access Functions. (For questions or assistance, call CDTFA at 1-800-400-7115.)
 - Or submit via e-mail to: BTFDADABInsuranceStaff@cdtfa.ca.gov;
 - Or submit via mail to:

California Department of Tax and Fee Administration
Appeals and Data Analysis Branch MIC: 33
P.O. Box 942879
Sacramento, CA 94279-0033

Amended Insurance (Premium) Tax Return – Additional Tax Due

- 1. To correct and report additional Insurance (Premium) tax, file an Amended Insurance (Premium) Tax Return and attach a letter of explanation.**
 - It must be indicated that an Amended Insurance (Premium) Tax Return filing is being made with the Amendment Date provided.
 - Any additional tax, penalty and interest payments are to be made by Check Payment Only and made payable to the State Controller's Office. Please note that EFT should only be used for the original annual tax and prepayments.
 - All payments made toward additional tax due will be applied pursuant to CRTC section 12636.5: "Every payment on a delinquent tax shall be applied as follows: (a) First, to any interest due on the tax. (b) Second, to any penalty imposed by this part. (c) The balance, if any, to the tax itself."
 - For Insurers only: The prepayment amount will remain unchanged from the original amount, which is based on the original Insurance (Premium) Tax Return as filed and processed by the CDI.
- 2. File the Amended Insurance (Premium) Tax Return with the CDI:**
 - For the **2024** Amended Insurance (Premium) Tax Return, file online via the CDI PTPS at [Tax Forms, Instructions & Information](#).
 - For **2023** Amended Insurance (Premium) Tax Return and prior tax years, file by e-mail to PremiumTaxAudit@insurance.ca.gov.
- 3. Send the Check payable to the State Controller's Office and a copy of the Amended Insurance (Premium) Tax Return (CDI FS Form Only) to:**

(USPS Delivery)

State Controller's Office
Departmental Accounting Office
Insurance Tax Program
P.O. Box 942850
Sacramento, CA 94250-0001

or

(Overnight Delivery)

State Controller's Office
Departmental Accounting Office
300 Capitol Mall, Suite 1500
Sacramento, CA 95814
Attention: Insurance Tax Program