

**136.376 Priority of application and use of credits against insurance taxes.
(Effective July 1, 2027)**

- (1) For purposes of the credit permitted by KRS 154.20-195, if a taxpayer is entitled to more than one (1) of the tax credits allowed against the taxes imposed by KRS 136.320, 136.330, 136.340, 136.350, 136.370, 136.390, and 304.3-270, the priority of application and use of the credit shall be determined as follows:
 - (a) The nonrefundable credits shall be taken in the following order:
 1. The Kentucky Investment Fund Act credit permitted by KRS 154.20-258; and
 2. The New Markets Development Program credit permitted by KRS 141.434; and
 - (b) After the application of the nonrefundable credits in paragraph (a) of this subsection, the refundable certified mixed-use rehabilitation credit permitted by KRS 136.374 shall be taken.
- (2) A taxpayer claiming a credit against any of the insurance premiums taxes imposed by KRS 136.320, 136.330, 136.340, 136.350, 136.370, or 136.390 shall not be required to pay additional retaliatory tax imposed by KRS 304.3-270.
- (3) The Department of Revenue shall include information about this credit in the report required under KRS 141.3821(5).

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History: Created 2026 Ky. Acts ch. 198, sec. 33, effective July 1, 2027.