

The Senate Committee on Insurance and Labor offered the following substitute to SB 324:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 25 of Title 33 of the Official Code of Georgia Annotated, relating to life
2 insurance, so as to provide for certain protections for life insurance policyholders; to provide
3 for a short title; to provide definitions; to provide for insurers to conduct policy locator
4 searches on a quarterly basis; to provide for updated records; to provide for disclosure of
5 certain information; to provide for the right to original agents of record; to provide for the
6 right to access policy information; to provide for an authorized recipient; to provide for a
7 standardized form authorizing access to certain information; to provide for the right to an
8 annual policy status report; to provide for the right to beneficiary protection; to provide for
9 annual reporting; to provide for the Department of Insurance to publish on its website a
10 statement on the rights of policyholders and a standardized form for authorizing a recipient
11 to have access to certain policy information; to provide for such statement and form to be
12 sent to certain insurers; to provide for rules and regulations; to provide for related matters;
13 to provide for an effective date; to repeal conflicting laws; and for other purposes.

14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 25 of Title 33 of the Official Code of Georgia Annotated, relating to life insurance, is amended by adding a new subsection to Code Section 33-25-14, relating to unclaimed life insurance benefits, purpose, definitions, and insurer conduct, to read as follows:

"(d.1) An insurer shall conduct a search of the National Association of Insurance Commissioners' policy locator system on at least a quarterly basis to identify potential matches to policies, persons, and designated beneficiaries. If an insurer finds a match, then the insurer shall within 30 days confirm the accuracy of the match, contact the person, the designated beneficiary, or an authorized representative, and update the insurer's records. To the extent permitted by law, an insurer may disclose minimum necessary personal information about a person or a designated beneficiary to a person who the insurer reasonably believes may be able to assist the insurer in locating the designated beneficiary or a person otherwise entitled to payment of the claims proceeds."

SECTION 2.

Said chapter is further amended by adding a new Code section to read as follows:

"33-25-16.

(a) This Code section shall be known and may be cited as the 'Georgia Policyholder Bill of Rights.'

(b) As used in this Code section, the term:

(1) 'Insurer' means an insurance company that issued or currently insures a policy.

(2) 'Policy' means a life insurance policy owned by an individual who is a resident of this state regardless of whether the policy was issued, delivered, or renewed in this state.

Such term includes a contract of life insurance, a life benefit certificate issued by a fraternal benefit society, a life annuity, or an annuity contract.

(3) 'Policyholder' means the owner of a policy.

(c) A policyholder has the right to retain his or her original agent of record for a policy. If an insurer sells or transfers the policy to another insurer, such insurer shall continue to provide annual reports to the original agent of record.

(d) A policyholder has the right to receive important insurance policy documents. Such documents include, but are not limited to, company illustrations outlining projected values; status reports detailing payments, benefits, and conditions; and reprojections providing updated future value estimates. A policyholder may authorize a recipient to have access to such documents by submitting a standardized form developed by the department. Such form shall include the following:

(1) The policyholder's full legal name, date of birth, and the last four digits of the policyholder's social security number;

(2) The authorized recipient's name and contact information;

(3) The information authorized to be shared;

(4) The express limitation that the authorization does not grant the authorized recipient the authority to make policy changes, change beneficiaries, or assign, surrender, borrow, or transfer any policy;

(5) The effective date and the duration of effectiveness, not to exceed 12 months; and

(6) The notarized signature of the policyholder.

(e) A policyholder has the right to receive an annual report detailing the status of his or her policy. An insurer shall provide such annual report, even if the policy is fully paid.

(f) A policyholder has the right to beneficiary protection. No later than January 1, 2027, and annually thereafter, every insurer shall report to the Commissioner the results of searches conducted under Code Section 33-25-14.

(g) The Commissioner shall, as soon as practicable, but no later than January 1, 2027, prepare a statement that sets forth in simple and nontechnical terms the rights of policyholders as set forth in this Code section and the authorization form provided for in subsection (d) of this Code section. Such statement and form shall be published on the

67 department website and shall be sent to all insurers authorized to transact life insurance in
68 this state.
69 (h) The Commissioner shall promulgate rules and regulations necessary to implement the
70 provisions of this Code section."

71 **SECTION 3.**

72 This Act shall become effective upon its approval by the Governor or upon its becoming law
73 without such approval.

74 **SECTION 4.**

75 All laws and parts of laws in conflict with this Act are repealed.