

**31A-22-404 Suicide.**

- (1)
  - (a) Suicide is not a defense to a claim under a life insurance policy that is in force for two years from the date of issuance of the later of:
    - (i) the policy; or
    - (ii) the certificate.
  - (b) Subsection (1)(a) applies whether:
    - (i) the insured's death by suicide is voluntary or involuntary; or
    - (ii) the insured is sane or insane.
  - (c) If a suicide occurs within the two-year period described in Subsection (1)(a), the insurer shall pay to the beneficiary an amount not less than the premium paid less the following:
    - (i) a dividend paid;
    - (ii) an indebtedness; and
    - (iii) a partial withdrawal.
- (2)
  - (a) If after a life insurance policy is in effect the policy allows the policyholder to purchase a death benefit that is larger than when the policy was originally effective for an additional premium, the payment of the additional increment of benefit may be limited in the event of a suicide within a two-year period beginning on the day on which the increment increase takes effect.
  - (b) If a suicide occurs within the two-year period described in Subsection (2)(a), the insurer shall pay to the beneficiary an amount not less than the additional premium paid for the additional increment of benefit.
- (3) For a survivorship life insurance policy, this section applies when within two years from the day on which the survivorship life insurance policy is issued:
  - (a) the death of all insureds results from suicide; or
  - (b) the death of the surviving insured results from suicide.
- (4) This section does not apply to:
  - (a) a policy insuring against death by accident only; or
  - (b) an accident or double indemnity provision of an insurance policy.

Amended by Chapter 349, 2009 General Session