

28 (f) provide that the insurance policy or product is filed with the Insurance Department
29 and meets the requirements of Title 31A, Insurance Code if the contract is funded by an
30 insurance policy or product; and

31 (g) conform to other standards created by rule under Title 63, Chapter 46a, Utah
32 Administrative Rulemaking Act, for the purpose of protecting the interests of buyers and
33 potential buyers.

34 (3) No modification of the form, terms, or conditions of the preneed contract may be
35 made without the prior written approval of the division. The division's approval may not be
36 unreasonably withheld.

37 (4) A preneed contract shall provide for payment by the buyer in the form of money,
38 check, money order, credit card, or negotiable instrument which may be liquidated by the
39 provider within 30 days after receipt by the provider or the provider's sales agent.

40 (5) A preneed contract may not be revocable by the provider except in the event of
41 nonpayment under terms and conditions clearly set forth in the contract.

42 (6) A preneed contract may not be revocable by the purchaser or beneficiary except in
43 the event of a substantial contract breach by the provider or substantial evidence that the
44 provider is or will be unable to provide the personal property or services to the beneficiary as
45 provided under the contract. The contract shall contain a clear statement of the manner in
46 which payments made on the contract shall be refunded to the purchaser or beneficiary upon
47 revocation by the beneficiary.

48 (7) A preneed contract shall provide the buyer the option to require the provider to
49 furnish a written disclosure to a person who does not live at the same residence as the buyer.

50 The buyer may choose:

51 (a) a full disclosure containing a copy of the entire preneed contract;

52 (b) a partial disclosure informing the recipient of:

53 (i) the existence of a preneed contract; and

54 (ii) the name, address, telephone number, and license number of the provider obligated
55 to provide the services under the preneed contract; or

56 (c) not to require the provider to furnish a written disclosure to another person.

Legislative Review Note

as of 10-30-02 2:28 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Interim Committee Note

as of 12-12-02 1:38 PM

The Business and Labor Interim Committee recommended this bill.

Fiscal Note
Bill Number SB0010

Preneed Funeral Arrangement Amendments

09-Jan-03

11:53 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst