

**31A-21-501 Definitions.**

For purposes of this part:

- (1) "Applicant" means:
  - (a) in the case of an individual life or accident and health policy, the person who seeks to contract for insurance benefits; or
  - (b) in the case of a group life or accident and health policy, the proposed certificate holder.
- (2) "Cohabitant" means an emancipated individual pursuant to Section 15-2-1 or an individual who is 16 years of age or older who:
  - (a) is or was a spouse of the other party;
  - (b) is or was living as if a spouse of the other party;
  - (c) is related by blood or marriage to the other party;
  - (d) has one or more children in common with the other party; or
  - (e) resides or has resided in the same residence as the other party.
- (3) "Child abuse" means the commission or attempt to commit against a child a criminal offense described in:
  - (a) Title 76, Chapter 5, Part 1, Assault and Related Offenses;
  - (b) Title 76, Chapter 5, Part 4, Sexual Offenses;
  - (c) Section 76-9-702, Lewdness;
  - (d) Section 76-9-702.1, Sexual battery; or
  - (e) Section 76-9-702.5, Lewdness involving a child.
- (4) "Domestic violence" means any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another and includes commission or attempt to commit, any of the following offenses by one cohabitant against another:
  - (a) aggravated assault, as described in Section 76-5-103;
  - (b) assault, as described in Section 76-5-102;
  - (c) criminal homicide, as described in Section 76-5-201;
  - (d) harassment, as described in Section 76-5-106;
  - (e) electronic communication harassment, as described in Section 76-9-201;
  - (f) kidnaping, child kidnaping, or aggravated kidnaping, as described in Sections 76-5-301, 76-5-301.1, and 76-5-302;
  - (g) mayhem, as described in Section 76-5-105;
  - (h) sexual offenses, as described in Title 76, Chapter 5, Part 4, Sexual Offenses, and Section 76-5b-201;
  - (i) stalking, as described in Section 76-5-106.5;
  - (j) unlawful detention or unlawful detention of a minor, as described in Section 76-5-304;
  - (k) violation of a protective order or ex parte protective order, as described in Section 76-5-108;
  - (l) any offense against property described in Title 76, Chapter 6, Part 1, Property Destruction, Part 2, Burglary and Criminal Trespass, or Part 3, Robbery;
  - (m) possession of a deadly weapon with intent to assault, as described in Section 76-10-507; or
  - (n) discharge of a firearm from a vehicle, near a highway, or in the direction of any person, building, or vehicle, as described in Section 76-10-508.
- (5) "Subject of domestic abuse" means an individual who is, has been, may currently be, or may have been subject to domestic violence or child abuse.

Amended by Chapter 39, 2012 General Session  
Amended by Chapter 303, 2012 General Session

