1   **BENEFICIARY DESIGNATION OF FORMER**

2   **SPOUSE**

3   1999 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Karen Hale**

6   AN ACT RELATING TO HUSBAND AND WIFE; PROVIDING FOR THE AUTOMATIC

7   REVOCATION OF ANY BENEFICIARY DESIGNATION FOR THE FORMER SPOUSE

8   UPON FINAL DECREE OF DIVORCE; AND PROVIDING FOR EXCEPTIONS.

9   This act affects sections of Utah Code Annotated 1953 as follows:

10   ENACTS:

11   **30-3-7.5**, Utah Code Annotated 1953

12   *Be it enacted by the Legislature of the state of Utah:*

13   Section 1. Section **30-3-7.5** is enacted to read:

14   **30-3-7.5. Revocation of death benefits by divorce or annulment.**

15   (1) Upon the entry of a decree of annulment or divorce on and after May 3, 1999, any

16   revocable beneficiary designation contained in a then existing written contract owned by one party

17   that provides for the payment of any death benefit to the other party is revoked. A death benefit

18   prevented from passing to a former spouse by this section shall be paid as if the former spouse had

19   predeceased the decedent. The payor of any death benefit shall be discharged from all liability

20   upon payment in accordance with the terms of the contract providing for the death benefit, unless

21   the payor receives written notice of a revocation under this section prior to payment.

22   (2) The term "death benefit" includes any payments under a life insurance contract,

23   annuity, retirement arrangement, compensation agreement, or other contract designating a

24   beneficiary of any right, property, or money in the form of a death benefit.

25   (3) This section does not apply:

26   (a) to the extent a decree of annulment or divorce from the bond of matrimony, or a written

27   agreement of the parties provides for a contrary result as to specific death benefits; or

28 (b) to any trust or any death benefit payable to or under any trust.

Legislative Review Note
as of   2-1-99 1:48 PM

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

Office of Legislative Research and General Counsel