

336 organization, ~~[except for]~~ including an automatic deposit or withdrawal previously authorized
 337 by the apparent owner ~~[or]~~ other than an automatic reinvestment of dividends or interest; ~~[and]~~
 338 (f) any other action by the apparent owner which reasonably demonstrates to the holder
 339 that the apparent owner knows that the account exists; and
 340 ~~[(f)]~~ (g) subject to Subsection (5), payment of a premium on an insurance policy.

341 (3) An action by an agent or other representative of an apparent owner, other than the
 342 holder acting as the apparent owner's agent, is presumed to be an action on behalf of the
 343 apparent owner.

344 (4) A communication with an apparent owner by a person other than the holder or the
 345 holder's representative is not an indication of interest in the property by the apparent owner
 346 unless a record of the communication evidences the apparent owner's knowledge of a right to
 347 the property.

348 (5) If the insured dies or the insured or beneficiary of an insurance policy otherwise
 349 becomes entitled to the proceeds before depletion of the cash surrender value of the policy by
 350 operation of an automatic premium loan provision or other nonforfeiture provision contained in
 351 the policy, the operation does not prevent the policy from maturing or terminating.

352 Section 3. Section **67-4a-215** is enacted to read:

353 **67-4a-215. Knowledge of death of insured or annuitant.**

354 (1) As used in this section ~~§~~ → [;] :

354a (a) ~~←§~~ " ~~§~~ → ~~[death]~~ **Death** ~~←§~~ master file" means:

355 ~~§~~ → ~~[(a)]~~ (i) ~~←§~~ the United States Social Security Administration death master file; or

356 ~~§~~ → ~~[(b)]~~ (ii) ~~←§~~ another database or service that is at least as comprehensive as the United

356a States

357 Social Security Administration death master file for determining that an individual has

358 reportedly died.

358a ~~§~~ → (b) **"Special administrator" means the same as that term is defined in Section 75-1-201.**

358b ~~←§~~

359 (2) With respect to a life or endowment insurance policy or annuity contract for which
 360 an amount is owed on proof of death, but which has not matured by proof of death of the
 361 insured or annuitant, the company is deemed to have knowledge of the death of an insured or
 362 annuitant when:

363 (a) the company receives a death certificate or court order determining that the insured
 364 or annuitant has died;

365 (b) due diligence, performed as required under Section [31A-22-1903](#), to maintain
 366 contact with the insured or annuitant to determine whether the insured or annuitant has died

367 validates the death of the insured or annuitant;

368 (c) the company conducts a comparison for any purpose between a death master file
369 and the names of some of the company's insureds or annuitants and finds a match that provides
370 notice that the insured or annuitant has died, and the company validates the death; or

371 (d) the company:

372 (i) receives notice of the death of the insured or annuitant from ~~§~~→ [am] a special ←~~§~~
372a administrator,

373 beneficiary, policy owner, relative of the insured, or trustee or from a personal representative,
374 executor, or other legal representative of the insured's or annuitant's estate; and

375 (ii) validates the death of the insured or annuitant.

376 (3) A death master file match under Subsection (2)(c) occurs if the criteria for an exact
377 or partial match are satisfied as provided by:

378 (a) a law of this state other than this chapter, including Section [31A-22-1903](#); or

379 (b) a rule or policy adopted by the Insurance Department.

380 (4) A death master file match does not constitute proof of death for the purpose of a
381 beneficiary, annuitant, or owner of an insurance policy or annuitant contract submitting a claim
382 to an insurance company.

383 (5) The death master file match or validation of the insured's or annuitant's death does
384 not alter the requirements for a beneficiary, annuitant, or owner of the policy or contract to
385 make a claim to receive proceeds under the terms of the policy or contract.

386 (6) If a provision in Section [31A-22-1903](#) does not establish a time for validation of a
387 death of an insured or annuitant, the insurance company shall make a good faith effort using
388 other available records and information, no later than 90 days after the insurance company has
389 notice of the death, to:

390 (a) validate the death; and

391 (b) document the effort taken.

392 (7) This section does not affect the determination of the extent to which an insurance
393 company, before May 14, 2019:

394 (a) had knowledge of the death of an insured or annuitant; or

395 (b) was required to conduct a death master file comparison to determine whether
396 amounts owed by the company on a life or endowment insurance policy or annuity contract
397 were presumed or abandoned.