

Honolulu, Hawaii

APR 26 2018

RE: S.B. No. 208  
S.D. 2  
H.D. 1  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 208, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO UNCLAIMED LIFE INSURANCE BENEFITS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Adopt the National Conference of Insurance Legislators' Model Unclaimed Life Insurance Benefits Act, which requires life insurers to conduct database searches using the federal Social Security Administration's Death Master File or similar database to determine whether an insured has died;



- (2) Require life insurers to use good faith efforts to locate any beneficiaries to a policy, contract, or retained asset account; and
- (3) Authorize the Insurance Commissioner to use discretion to limit, exempt, or phase-in compliance with requirements under certain circumstances.

Your Committee on Conference finds that the National Conference of Insurance Legislators' Model Unclaimed Life Insurance Benefits Act provides a foundation for insurers to use the Social Security Administration Death Master File to obtain notice of death of an insured in the absence of a claim and search for beneficiaries within ninety days. Your Committee on Conference further finds that this measure establishes requirements, based on a national standard of consumer protection, for locating life insurance beneficiaries and enables timely compliance by all life insurers for consumers in the State.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that failure to meet any requirements with such frequency as to constitute a general business practice shall constitute an unfair or deceptive act or practice under Article 13 of the Insurance Code, rather than making a single violation an unfair or deceptive act or practice; and
- (2) Changing its effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 208, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 208, S.D. 2, H.D. 1, C.D. 1.




Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

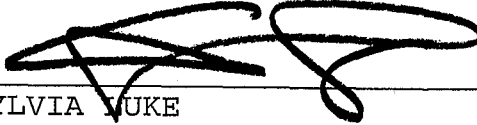
ON THE PART OF THE SENATE



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ROY M. TAKUMI  
Co-Chair



\_\_\_\_\_  
ROSALYN H. BAKER  
Chair



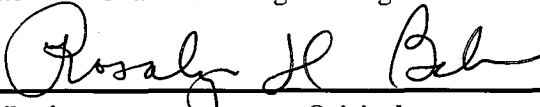

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SYLVIA DUKE  
Co-Chair



Hawai'i State Legislature

CCR 33-18

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: <b>SB 208, SD 2, HD 1</b>					Date/Time: <i>4-24-2018 9:12 AM</i>				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				TAKUMI, Roy M., Co-Chr.	✓			
ESPERO, Will	✓				LUKE, Sylvia, Co-Chr.	✓			
NISHIHARA, Clarence K.				✓	CULLEN, Ty J.K.	✓			
					MCDERMOTT, Bob				✓
<b>TOTAL</b>	2	-	-	1	<b>TOTAL</b>	3	-	-	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature: 					House Lead Chair's or Designee's Signature: 				
Distribution:		Original <i>File with Conference Committee Report</i>			Yellow <i>House Clerk's Office</i>		Pink <i>Senate Clerk's Office</i>		Goldenrod <i>Drafting Agency</i>