STAND. COM. REP. NO.

Honolulu, Hawaii

MAR 23 , 2018

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

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

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 208, S.D. 2, entitled:

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

begs leave to report as follows:

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 the requirements under certain circumstances.



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The American Council of Life Insurers and Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii supported this measure. The Department of Commerce and Consumer Affairs provided comments.

Your Committee has amended this measure by:

- Clarifying that violations of the requirements in the measure by an insurer are deemed to be an unfair or deceptive act under Article 13 of the Insurance Code;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 208, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 208, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROY M. TAKUMI, Chair



State of Hawaii House of Representatives The Twenty-ninth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: Committee Referral: SB 208, SD2 CPC, FIN		Date	Date: 3/20/19	
□ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Image: Pass, unamended (as is) Image: Pass, with amendments (HD) Image: Hold Image: Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)				
2. ICHIYAMA, Linda (VC)	✓ ✓			
3. AQUINO, Henry J.C.				
4. ITO, Ken				
5 JOHANSON Asses Ling				
5. JOHANSON, Aaron Ling				
6. LoPRESTI, Matthew S.				
7. MIZUNO, John M.		Distante de la complete de		
8. SAY, Calvin K.Y.		and a half of the second s	ann an	in a structure of the second structure structure structure structure structure structure structure structure st
9. TOKIOKA, James Kunane				
10. YAMANE, Ryan I.			e e s	
11. McDERMOTT, Bob				~
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TOTAL (11)	B	0	0	3
The recommendation is: Adopted I Not Adopted did not support recommendation.				
Vice Chair's or designee's signature: Firde Schiyme				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				