

Honolulu, Hawaii

, 2018

MAR 23

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.



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:

- (1) 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,



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ROY M. TAKUMI, Chair



