**South Carolina General Assembly**

125th Session, 2023-2024

**H. 4658**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. King and Henegan

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Introduced in the House on January 9, 2024

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Life insurance companies

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/14/2023 House Prefiled

12/14/2023 House Referred to Committee on **Labor, Commerce and Industry**

1/9/2024 House Introduced and read first time ([House Journal‑page 115](h:\hj\20240109.docx))

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**VERSIONS OF THIS BILL**

[12/14/2023](https://www.scstatehouse.gov/sess125_2023-2024/prever/4658_20231214.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38‑55‑190 SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE INSURERS SHALL PROVIDE CERTAIN LIFE INSURANCE POLICY INFORMATION OF A DECEDENT TO FUNERAL DIRECTORS, FUNERAL ESTABLISHMENTS, OR CREMATORIES CONTACTED ON BEHALF OF THE FAMILY OF THE DECEDENT, TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 55, Title 38 of the S.C. Code is amended by adding:

Section 38‑55‑190. (A) As used in this section:

(1) “Department” means the Department of Insurance.

(2) “Crematory” has the same meaning as in Section 40‑19‑20(7).

(3) “Funeral director” has the same meaning as found in Section 40‑19‑20(11).

(4) “Funeral establishment” has the same meaning as found in Section 40‑19‑20(12).

(5) “Insurer” means an entity that writes, issues, or otherwise provides life insurance contracts in this State, including an insurance company, annuity company, or trust company.

(B) An insurer:

(1) shall provide the names of the beneficiaries of the decedent’s life insurance policy, the benefit amount under the policy, and other information requested by a funeral director, funeral establishment, or crematory that contacts the insurer on behalf of the decedent’s family.

(2) shall provide the information required by item (1) within one business day after the date on which the funeral director, funeral establishment, or crematory contacted the insurer, and may provide the information by fax, email, or telephone; provided, that the manner in which the insurer chooses to provide the required information must allow the funeral director, funeral establishment, or crematory to receive the information within the timeframe required by this item;

(3) may, except as provided in item (4), require the funeral director, funeral establishment, or crematory to provide proof that the funeral director, funeral establishment, or crematory contacted the insurer on behalf of the decedent’s family; provided, that the insurer allows the funeral director, funeral establishment, or crematory to provide proof in a reasonable manner that does not otherwise impede the funeral director, funeral establishment, or crematory from obtaining the information required by item (1) within the timeframe required by item (2); and

(4) may not require a funeral director, funeral establishment, or crematory to submit a death certificate to obtain the information required by item (1).

(C) A funeral director, funeral establishment, or crematory that is denied policy information in violation of subsection (B) may file a complaint with the department. If the department finds that an insurer violated subsection (B), then the department shall impose penalties as provided in Section 38‑2‑10.

SECTION 2. This act takes effect upon approval by the Governor.

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