

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

841U0435

SENATE BILL NO. 134

Introduced by: Senators Rave, Brown, Olson (Russell), and Rhoden and Representatives
Westra, Gosch, and Lust

1 FOR AN ACT ENTITLED, An Act to codify the common law of rescission as applied to life
2 insurance contracts.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. If a life insurance policy is deemed void, void ab initio, or otherwise terminated
5 or extinguished in accordance with the law for any reason other than nonpayment of premium,
6 the owner of the policy or the owner's designated representative may recover from the insurer
7 all premiums paid on the policy plus interest on those payments at the rate set in § 54-3-4.

8 Section 2. The provisions of this Act apply to all life insurance policies that have not lapsed
9 for non-payment of premiums as of July 1, 2013 and to all policies issued after June 30, 2013.

