

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

400I0229

## SENATE BILL NO. 43

Introduced by: The Committee on Commerce at the request of the Department of Commerce  
and Regulation

1 FOR AN ACT ENTITLED, An Act to conform medicare supplement plans to general delivery  
2 receipt requirements.

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

4 Section 1. That § 58-17A-8.1 be amended to read as follows:

5 58-17A-8.1. An issuer shall issue policies in this state for which an examination period is  
6 required in accordance with one of the following methods:

- 7 (1) If the policy is delivered by an insurance producer, a receipt shall be signed by the  
8 policyowner acknowledging delivery of the policy. The receipt shall include the policy  
9 number and the date of the delivery;
- 10 (2) If the policy is delivered by mail, it shall be sent by registered or certified mail, return  
11 receipt requested, or a certificate of mailing shall be obtained showing the date the  
12 policy was mailed to the policyowner. For policy issuances verified by a certificate of  
13 mailing, it is presumed that the policy is received by the policyowner ten days from  
14 the date of mailing.

15 The receipts and the certificates of mailing described in this section shall be retained by the



- 1 issuer ~~or insurance producer~~ for ~~three~~ five years. If a producer obtains the delivery receipt, the
- 2 producer shall forward the signed delivery receipt to the insurer.