

§ 58-8-10. Policyholders are members of mutual companies.

(a) Every person insured by a mutual insurance company is a member while that person's policy is in force, entitled to one vote for each policy that person holds, and shall be notified of the (i) time and (ii) place or method of remote communication, or both, for holding the company's meetings by a written notice or by an imprint upon the back of each policy, receipt, or certificate of renewal, as follows:

- (1) If the meetings are to be held at a place, as follows: The insured is hereby notified that by virtue of this policy the insured is a member of the _____ insurance company, and that the annual meetings of the company are held at its home office on the _____ day of _____, in each year, at _____ o'clock.
- (2) If the meetings are to be held solely by remote communication, as follows: The insured is hereby notified that by virtue of this policy the insured is a member of the _____ insurance company, and that the annual meetings of the company are held by means of remote communication, which can be accessed by _____ on the _____ day of _____, in each year, at _____ o'clock.
- (3) If the meetings are to be held at a place and by remote communication, as follows: The insured is hereby notified that by virtue of this policy the insured is a member of the _____ insurance company, and that the annual meetings of the company are held at its home office and by means of remote communication, which can be accessed by _____ on the _____ day of _____, in each year, at _____ o'clock.

(b) The blanks in subsection (a) of this section shall be duly filled in print and are a sufficient notice. A corporation that becomes a member of a mutual insurance company may authorize any person to represent the corporation; and this representative has all the rights of an individual member. A person holding property in trust may insure it in a mutual insurance company, and as trustee assume the liability and be entitled to the rights of a member; but is not personally liable upon the contract of insurance. Members may vote by proxies, dated and executed within one year after receipt, and returned and recorded on the books of the company three days or more before the meeting at which they are to be used.

(c) Participation by means of remote communication shall be subject to such guidelines and procedures as the board of directors adopts and shall be in conformity with subsection (d) of this section.

(d) Members participating in meetings by means of remote communication shall be deemed (i) present and (ii) voting in person at the meeting if the mutual insurance company has implemented reasonable measures to do all of the following:

- (1) Verify that each person participating remotely is a member.
- (2) Provide each member participating remotely a reasonable opportunity to participate in the meeting and to vote on matters submitted to the members, including an opportunity to communicate and read or hear the proceedings of the meeting, substantially concurrently with the proceedings.

(e) The board of directors may, in its sole discretion, determine that any meeting of members shall not be held at any place and shall instead be held solely by means of remote communication, but only if the mutual insurance company implements the measures specified in subsection (d) of this section. (1899, c. 54, s. 33; Rev., s. 4739; C.S., s. 6348; 1945, c. 386; 1947, c. 721; 1998-211, s. 37.1(a); 2021-162, s. 3.)