

508.32 Proceeds of policy held in trust.

1. As used in [this section](#):

a. “Annuity contracts” and “life insurance policies” include accident and health insurance policies and contracts, and include undertakings, duties, and obligations incidental to or in furtherance of any such policies or contracts.

b. “Proceeds” includes additions and contributions.

c. “Trust” includes but is not limited to settlement options and contracts issued pursuant to policies or contracts, and funds held in a separate or segregated account in connection with pension or profit-sharing plans pursuant to agreements with the policyholders.

2. Any life insurance company organized under the provisions of [this chapter](#) and doing business in this state, shall have the power to hold in trust the premiums or consideration paid for, or the proceeds of any life insurance policy or annuity contract, either individual or group, issued by it, upon such terms and subject to such limitations as to revocation or control by the policyholder or beneficiary thereunder, as shall have been agreed to in writing by such company and the policyholder; provided that the trust provisions contemplated in [this section](#) shall in no manner subject the corporation to any of the provisions of the laws of Iowa relating to banks or trust companies; and provided further, that the trust or trusts for premiums or considerations may be invested by such company in the manner specified in the trust instruments or agreements and held in a separate or segregated account; and provided further, that the forms of such trust agreements for beneficiaries shall be first submitted to and approved by the commissioner of insurance.

3. Funds held by an insurance company as authorized by [this section](#) may be held in a separate account established pursuant to [section 508A.1](#), except that [section 508A.1, subsection 5](#), shall not be applicable to such account. However, funds held by an insurance company as authorized in [this section](#) shall not be chargeable with liabilities arising out of any other business the company may conduct.

4. An instrument or agreement issued or used by an insurance company as authorized by [this section](#) does not constitute a security as defined in [section 502.102](#).

[C24, 27, 31, 35, 39, §8674; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §508.32]

97 Acts, ch 5, §1; 2018 Acts, ch 1041, §127; 2020 Acts, ch 1063, §273; 2021 Acts, ch 80, §320