**20:06:10:02.  Advertisements and solicitations subject to regulations.** This chapter applies to any health or life insurance advertisement or solicitation, unless otherwise indicated, intended for presentation, distribution, or dissemination in this state when the presentation, distribution, or dissemination is made either directly or indirectly by or on behalf of an insurer, agent, broker, or solicitor. Each insurer shall establish and maintain a system of control over the content, form, and method of dissemination of all advertisements and solicitations of its policies. The insurer is responsible for all advertisements or solicitations, regardless of who writes, creates, designs, or presents them.

This chapter also applies to any solicitation, negotiation, or procurement of health or life insurance occurring within this state by an issuer of health or life insurance contracts, including fraternal benefit societies, with the exception of those contracts outlined in SDCL 58-33A-1.

**Source:** 4 SDR 6, effective August 9, 1977; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 15 SDR 143, effective March 29, 1989; 27 SDR 54, effective December 4, 2000; 38 SDR 116, effective January 10, 2012.

**General Authority:** SDCL 58-33A-7.

**Law Implemented:** SDCL 58-33-5, 58-33-6, 58-33-7, 58-33-8, 58-33A-1, 58-33A-2.