

capacity to contract, applies therefor, or has consented thereto in writing, except in the following cases:

- (1) A spouse may effectuate such insurance upon the other spouse.
- (2) Any person having an insurable interest in the life of a minor, or any person upon whom a minor is dependent for support and maintenance, may effectuate insurance upon the life of or pertaining to such minor.
- (3) Family policies insuring any two or more members of a family may be issued on an application signed by either parent, a step-parent, or by a husband or wife.
- (4) Any person having an insurable interest in the life of a person who is legally incompetent to consent to such insurance may, upon written application, effectuate such insurance upon the life of such person.

(b) If the application contains an agreement whereby the insurer is authorized to issue a policy other than that applied for, or to amend the application, which amendment is to be ratified by the acceptance by the applicant of the contract as amended, such agreement must contain language substantially as follows: "Except that no change in amount, classification, plan of insurance or benefits shall be effective unless agreed to in writing by the applicant."

372. Application as Evidence; Alteration of Application.

(a) No application for the issuance of any life or health insurance policy or annuity contract shall be admissible in evidence in any action relative to such policy or contract, unless a true copy of the application was attached to or otherwise made a part of the policy or contract when issued. This provision shall not apply to industrial life insurance policies.

(b) If any policy of life or health insurance delivered in this State is reinstated or renewed, and the insured or the beneficiary or assignee of the policy makes written request to the insurer for a copy of the application, if any, for such reinstatement or renewal, the insurer shall, within thirty (30) days after receipt of such request at its home office or at any of its branch offices, deliver, or mail to the person making such request a copy of such application. If such copy is not so delivered or mailed after having been so requested, the insurer shall be precluded from introducing the application in evidence in any action or proceeding based upon or involving the policy or its reinstatement or renewal. In the case of such a request from a beneficiary, the time within which the insurer is required to furnish a copy of such application shall not begin to run until after receipt of evidence satisfactory to the insurer of the beneficiary's vested interest in the policy or contract.

(c) No alteration of any written application for any life or health insurance or annuity policy shall be made by any person other than the applicant without his written consent except that insertions may be made by the insurer, for administrative purposes only, in such manner as to indicate clearly that such insertions are not to be ascribed to the applicant.

373. Dating Back Application.

No insurer shall knowingly deliver or issue for delivery in this State any life insurance policy which purports to be issued or to take