

By Senator Campbell

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A bill to be entitled
An act relating to property insurance;
restricting the application of pollution
exclusion clauses; defining the term
"pollutants"; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. (1) The provisions of a property insurance policy which exclude coverage based on a pollution exclusion clause for bodily injury or property damage caused in whole or in part by the actual, alleged, or threatened discharge, dispersal, seepage, migration, release, or escape of pollutants at any time, apply only to damages caused by serious environmental harm.

(2) As used in this section, the term "pollutants" means any solid, liquid, gaseous, or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acid, alkalis, chemicals, and waste recognized by government regulators or the industry as a whole to be a toxic or particularly harmful material.

Section 2. This act shall take effect August 1, 2000.

SENATE SUMMARY

Restricts the application of property insurance pollution exclusion clauses.