

INSURANCE STATUTE ATOMIC ENERGY EXCLUSION

Whereas, the standard policy as set forth in Section [insert applicable section] is not intended to cover loss or damage caused by nuclear reaction, or nuclear radiation or radioactive contamination, all whether directly or indirectly resulting from an insured peril under said policy; and

Whereas, it is desirable in the public interest that written notice of such intention be given to persons insured under such a standard policy;

Now therefore, be it enacted, that

Insurers issuing the standard policy pursuant to Section [insert applicable section] are hereby authorized to affix thereto or include therein a written statement that the policy does not cover loss or damage caused by nuclear reaction or nuclear radiation or radioactive contamination, all whether directly or indirectly resulting from an insured peril under said policy; provided, however, that nothing herein contained shall be construed to prohibit the attachment to any such policy of an endorsement or endorsements specifically assuming coverage for loss or damage caused by nuclear reaction or nuclear radiation or radioactive contamination.

Chronological Summary of Actions (all references are to the Proceedings of the NAIC).

1959 Proc. I 115, 116 (adopted).

Atomic Energy Exclusion

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This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column or Related State Activity column based on the definitions listed below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.

This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.

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KEY:

MODEL ADOPTION: States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

RELATED STATE ACTIVITY: Examples of Related State Activity include but are not limited to: older versions of the NAIC model, statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column **only** (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

NO CURRENT ACTIVITY: No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

NAIC MEMBER	MODEL ADOPTION	RELATED STATE ACTIVITY
Alabama	NO CURRENT ACTIVITY	
Alaska	NO CURRENT ACTIVITY	
American Samoa	NO CURRENT ACTIVITY	
Arizona	ARIZ. REV. STAT. ANN. § 20-1509 (1960).	
Arkansas	NO CURRENT ACTIVITY	
California		CAL. INS. CODE § 2079; § 6019 (1959).
Colorado	NO CURRENT ACTIVITY	
Connecticut	CONN. GEN. STAT. § 38a-308 (1977/1980).	
Delaware	NO CURRENT ACTIVITY	
District of Columbia	NO CURRENT ACTIVITY	
Florida	NO CURRENT ACTIVITY	
Georgia	GA. CODE ANN. § 33-32-1(b) (1960).	
Guam	NO CURRENT ACTIVITY	

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NAIC MEMBER	MODEL ADOPTION	RELATED STATE ACTIVITY
Hawaii	HAW. REV. STAT. § 431-420(6) (1955/1979).	
Idaho	IDAHO CODE ANN. § 41-2401(2) (1961/1978).	
Illinois	NO CURRENT ACTIVITY	
Indiana	NO CURRENT ACTIVITY	
Iowa	IOWA CODE § 515.139 (1961).	
Kansas	NO CURRENT ACTIVITY	
Kentucky	NO CURRENT ACTIVITY	
Louisiana	LA. REV. STAT. ANN. § 22:691G (1960/1985).	
Maine	NO CURRENT ACTIVITY	
Maryland	NO CURRENT ACTIVITY	
Massachusetts	MASS. GEN. LAWS ANN. ch. 175, § 99A (1962).	
Michigan	MICH. COMP. LAWS § 500.2828 (1960).	
Minnesota		MINN. STAT. § 65A.05 (1967).
Mississippi	NO CURRENT ACTIVITY	
Missouri	NO CURRENT ACTIVITY	
Montana	NO CURRENT ACTIVITY	
Nebraska	NEB. REV. STAT. § 44-501.01 (1959).	
Nevada	NO CURRENT ACTIVITY	
New Hampshire	N.H. REV. STAT. ANN. § 407:23 (1959).	

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NAIC MEMBER	MODEL ADOPTION	RELATED STATE ACTIVITY
New Jersey	N.J. STAT. ANN. § 17:36-5.28 (1959).	
New Mexico	NO CURRENT ACTIVITY	
New York	N.Y. INS. LAW § 3405 (1984).	
North Carolina	N.C. GEN. STAT. § 58-44-25 (1963).	
North Dakota	N.D. CENT. CODE §§ 26.1-39-07 (1985).	
Northern Marianas	NO CURRENT ACTIVITY	
Ohio	NO CURRENT ACTIVITY	
Oklahoma	OKLA. STAT. tit. 36, § 4806 (1961).	
Oregon	OR. REV. STAT. §§ 3.666.	
Pennsylvania	40 PA. CONS. STAT. § 43-106 (1961/1974).	
Puerto Rico	NO CURRENT ACTIVITY	
Rhode Island	R.I. GEN. LAWS §§ 27-5-3.1 (1961).	
South Carolina	NO CURRENT ACTIVITY	
South Dakota	NO CURRENT ACTIVITY	
Tennessee	NO CURRENT ACTIVITY	
Texas	NO CURRENT ACTIVITY	
Utah	NO CURRENT ACTIVITY	
Vermont	NO CURRENT ACTIVITY	
Virgin Islands	NO CURRENT ACTIVITY	
Virginia	VA. CODE ANN. §§ 38.2-2102 (1986).	

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NAIC MEMBER	MODEL ADOPTION	RELATED STATE ACTIVITY
Washington	NO CURRENT ACTIVITY	
West Virginia	W. VA. CODE §§ 33-17-11 (1959).	
Wisconsin	NO CURRENT ACTIVITY	
Wyoming	NO CURRENT ACTIVITY	