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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 45. HAZARDOUS SUBSTANCE RESPONSE [78000 - 81050]** ( *Division 45 added by Stats. 2022, Ch. 257, Sec. 2. )*

**PART 2. HAZARDOUS SUBSTANCE ACCOUNT [78000 - 81050]** ( *Part 2 added by Stats. 2022, Ch. 257, Sec. 2. )*

**CHAPTER 11. California Financial Assurance and Insurance for Redevelopment Program [80680 - 80870]** (

*Chapter 11 added by Stats. 2022, Ch. 257, Sec. 2. )*

**ARTICLE 4. Liability [80840 - 80855]** ( *Article 4 added by Stats. 2022, Ch. 257, Sec. 2. )*

**80840.** Notwithstanding any other provision of law, the agency, the secretary, the state, their respective employees and agents, and any of the state's other political subdivisions or their employees, shall not be liable to any person for any of the following:

- (a) Any acts or omissions by the agency, the secretary, the state, their respective employees and agents, and any of the state's other political subdivisions or their employees, in implementing this chapter.
- (b) Any acts or omissions by an insurance company selected to provide prenegotiated environmental insurance products pursuant to Section 80760.
- (c) Any acts or omissions by any person that purchases a prenegotiated environmental insurance product made available pursuant to this chapter.

*(Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.)*

**80845.** The immunity from liability set forth in Section 80840 specifically includes, but is not limited to, immunity if an insurance company selected to provide prenegotiated environmental insurance products pursuant to Section 80760 does any of the following:

- (a) Cancels, rescinds, or otherwise terminates its contract with the secretary.
- (b) Fails, for any reason, to compensate an insured for a loss covered by a policy.
- (c) Delays payment to an insured, or otherwise breaches a duty or covenant imposed by law or required by a policy or contract with an insured that purchased an environmental insurance product pursuant to this chapter.

*(Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.)*

**80850.** The immunity set forth in this article is in addition to other immunities and defenses otherwise available to the agency, the secretary, the state, their respective employees and agents, and any of the state's political subdivisions and employees thereof.

*(Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.)*

**80855.** In implementing this chapter, the agency, the secretary, the state, their respective employees and agents, and any of the state's other political subdivisions and employees thereof, may not:

- (a) Be construed to be an insurer, as defined in Section 23 of the Insurance Code, an insurance agent, as defined in Sections 31 and 1621 of the Insurance Code, an insurance solicitor, as defined in Sections 34 and 1624 of the Insurance Code, or an insurance broker, as defined in Sections 33 and 1623 of the Insurance Code.
- (b) Be construed to be transacting insurance, as defined in Section 35 of the Insurance Code.
- (c) Be required to obtain a license or other authorization pursuant to any provision of the Insurance Code.

*(Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.)*

