

As Reported by the House Insurance Committee

135th General Assembly

Regular Session

2023-2024

Sub. S. B. No. 63

Senator Lang

Cosponsors: Senators Cirino, Hackett, Huffman, S., Romanchuk, Schaffer,
Schuring, Wilson, Rulli, Reynolds, Reineke, Wilkin

A BILL

To enact section 2307.931 of the Revised Code to 1
require a plaintiff in a tort action alleging an 2
asbestos claim to file specified disclosures. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 2307.931 of the Revised Code be 4
enacted to read as follows: 5

Sec. 2307.931. (A) The plaintiff in any tort action who 6
alleges an asbestos claim shall, within sixty days after filing 7
any complaint, provide all parties with a sworn statement 8
specifying the basis for each asbestos claim against each 9
defendant, including the following: 10

(1) The name, address, date of birth, marital status, 11
occupation, smoking history, current and past worksites, and 12
current and past employers of the exposed person and any person 13
through whom the exposed person was exposed to asbestos; 14

(2) The name and address of each person who is 15
knowledgeable regarding the exposed person's exposures to 16
asbestos; 17

(3) The asbestos-containing product for each defendant to 18
which the exposed person was exposed or to which the other 19
person was exposed if the exposure was through another person; 20

(4) The sites that establish the direct connection between 21
the exposed person, or the other person if the exposure was 22
through another person, and each defendant; 23

(5) The beginning and ending dates of each exposure to 24
asbestos or an asbestos-containing product for the exposed 25
person or the other person if the exposure was through another 26
person; 27

(6) The asbestos-related disease that is alleged; 28

(7) Any supporting documentation relating to the 29
information required under division (A) of this section. 30

(B) The sworn statement required under division (A) of 31
this section is in addition to other requirements for asbestos 32
claims under sections 2307.91 to 2307.98 of the Revised Code. 33

(C) A plaintiff in a tort action alleging an asbestos 34
claim has a continuing duty to supplement the information that 35
is required to be disclosed under division (A) of this section, 36
including when the plaintiff receives new exposure history 37
information or becomes aware that a prior disclosure was 38
inaccurate or incomplete. 39

(D) Except as provided in division (E) of this section, on 40
a motion by a defendant, the court shall dismiss the plaintiff's 41
asbestos claim without prejudice if the defendant's asbestos- 42
containing product or site is not identified in the disclosures 43
required under division (A) of this section or the plaintiff 44
fails to comply with division (A) of this section. 45

(E) The court may not dismiss a plaintiff's claim under 46
division (D) of this section upon a showing of good cause by the 47
plaintiff. 48

(F) This section does not apply to a claim for workers' 49
compensation or a claim for veterans' benefits. 50