

AN ACT

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

Be it enacted by the General Assembly of the State of Ohio:

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

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

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

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

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

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

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

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

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

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

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

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

(E) The court may not dismiss a plaintiff's claim under division (D) of this section upon a

showing of good cause by the plaintiff.

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

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____