

Senate File 2337

S-5015

1 Amend Senate File 2337 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. Section 686B.3, subsection 2, Code 2020, is
5 amended to read as follows:

6 2. A plaintiff in an asbestos action, including an action
7 alleging a nonmalignant or a malignant condition, or a silica
8 action involving silicosis, shall include with the detailed
9 narrative medical report file with the petition or other
10 initial pleading a sworn information form containing specifying
11 the evidence that provides the basis for each claim against
12 each defendant. The sworn information form shall include all
13 of the following with specificity:

14 a. The name, address, date of birth, ~~social security number,~~
15 marital status, occupation, current and past worksites, and
16 employer of the exposed person, ~~and any person through whom the~~
17 ~~exposed person alleges exposure.~~

18 ~~b. The plaintiff's relationship to the exposed person or~~
19 ~~person through whom the exposure is alleged.~~

20 b. Each person through whom the exposed person was exposed
21 to asbestos or silica, and the exposed person's relationship
22 to each person.

23 c. Each asbestos-containing product or silica product,
24 whether from a bankrupt entity or otherwise, to which the
25 exposed person was exposed, or if the exposed person was
26 exposed through another person, to which that person was
27 exposed.

28 ~~e. d.~~ d. The specific location and manner of each alleged
29 exposure, including the specific location and manner of
30 exposure for any person through whom the exposed person alleges
31 exposure was exposed to asbestos or silica.

32 ~~d. e.~~ e. The beginning and ending dates of each alleged
33 exposure and the frequency of the exposure of the exposed
34 person to the product or its use, including for any person
35 through whom the exposed person was exposed.

1 ~~e.~~ f. The identity of the manufacturer or seller of the
2 specific asbestos or silica product for each exposure.

3 ~~f.~~ ~~The identity of the defendant or defendants against whom~~
4 ~~the plaintiff asserts a claim.~~

5 g. The specific asbestos-related or silica-related disease
6 claimed to exist.

7 h. Any supporting documentation relating to the information
8 required under this subsection.

9 Sec. 2. Section 686B.3, subsection 3, Code 2020, is amended
10 by striking the subsection.

11 Sec. 3. Section 686B.3, subsection 5, Code 2020, is amended
12 to read as follows:

13 5. The court shall dismiss the asbestos action or silica
14 action without prejudice on finding that the plaintiff has
15 failed to make the prima facie showing required by this chapter
16 or failed to comply with the requirements of ~~this section~~
17 subsections 1 and 2. The court shall dismiss the asbestos
18 action or silica action without prejudice as to any defendant
19 whose product or premises is not identified in the information
20 required pursuant to subsection 2.

21 Sec. 4. APPLICABILITY. This Act applies to an asbestos
22 action, including an action alleging a nonmalignant or
23 malignant condition, or a silica action involving silicosis
24 filed on or after July 1, 2020.>

ZACH NUNN