

Senate File 2337 - Enrolled

Senate File 2337

AN ACT

RELATING TO CIVIL ACTIONS INVOLVING ASBESTOS AND SILICA, AND
INCLUDING APPLICABILITY PROVISIONS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. The court shall dismiss the asbestos action or silica action without prejudice on finding that the plaintiff has failed to make the prima facie showing required by [this chapter](#) or failed to comply with the requirements of ~~this section~~ subsections 1 and 2. The court shall dismiss the asbestos action or silica action without prejudice as to any defendant whose product or premises is not identified in the information required pursuant to subsection 2.

Sec. 4. APPLICABILITY. This Act applies to an asbestos

action, including an action alleging a nonmalignant or malignant condition, or a silica action involving silicosis filed on or after July 1, 2020.

CHARLES SCHNEIDER
President of the Senate

PAT GRASSLEY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2337, Eighty-eighth General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2020

KIM REYNOLDS
Governor