

**Senate File 2337 - Reprinted**

SENATE FILE 2337  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3167)

(As Amended and Passed by the Senate February 25, 2020)

**A BILL FOR**

1 An Act relating to civil actions involving asbestos and silica,  
2 and including applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

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

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

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

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

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

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

35 ~~f. The identity of the defendant or defendants against whom~~

1 ~~the plaintiff asserts a claim.~~

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

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

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

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

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

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