



ENACTMENT SUMMARY

Senate Bill 63 Disclosure Requirements for Asbestos Claims Effective: April 9, 2025

On January 8, 2025, Governor DeWine signed into law Senate Bill 63 (Sen. Lang), which requires a plaintiff in an asbestos tort action to file specific disclosures.

First, the new law requires a plaintiff in a tort action alleging an asbestos claim to provide to all parties a sworn statement of disclosures within 60 days of filing the complaint. (As introduced, the bill required the disclosure within 30 days and directly conflicted with CivR8(A)). The disclosures outlined in the new law include:

- The name, address, date of birth, marital status, occupation, smoking history, current and past worksites, and current and past employers of the person exposed to asbestos;
- the name(s) and address(es) of anyone knowledgeable about the exposure(s) to asbestos;
- the asbestos-containing product(s) (manufacturer, seller, and specific name) through which exposure occurred;
- the specific location of site(s) of exposure (address);
- the beginning and end dates of exposure;
- the asbestos-related disease that is alleged;
- any supporting documentation.

(As introduced, the bill required the disclosure of additional information.) The plaintiff has a duty, under the new law, to continue to supplement the information disclosed, or correct or complete it, if necessary and as new information becomes available.

Second, the new bill requires a court to dismiss a plaintiff's asbestos claim without prejudice if the plaintiff fails to comply with the filing requirements, *unless the plaintiff shows good cause*. (As introduced, the plaintiff had no opportunity to show good cause for not complying with the filing requirements.) "Good cause" is not defined or outlined in the new law.

The new law does not apply to a claim for workers' compensation or a claim for veterans' benefits.

The bill passed the Ohio Senate by a vote of 21-10 on May 22, 2024. The Ohio House of Representatives adopted a substitute bill on December 4, 2024 and voted to pass the bill, 74-16 on December 10, 2024. It was signed into law on January 8, 2025 and becomes effective on April 9, 2025.