



Green Paper

Ohio House Bill 380 (as Passed by the House)

ASBESTOS EXPOSURE COMPENSATION

Sponsored by Representative Blessing

OEC's Summary

Oppose



HB380 requires claimants in asbestos tort actions to make certain disclosures pertaining to asbestos trust claims that have been submitted to asbestos trust entities for the purpose of compensating the claimant for asbestos exposure.







Among other provisions, the bill also permits a defendant in the action to file a motion for an order to stay the proceedings setting forth the identities of asbestos trusts not previously disclosed by the claimant against which the claimant has not made any asbestos trust claims but against which the defendant in good faith believes the claimant may make a successful claim.

OEC's Perspective

Mesothelioma. There is no cure for this aggressive and deadly form of cancer, of which the primary risk factor is asbestos exposure. That is why time is of the essence when it comes to the judicious and fair consideration of claims brought by its victims. HB380, however, willfully and significantly obstructs the ability of asbestos exposure victims to seek compensation for their injuries. It allows Defense attorneys to file for perpetual continuances of court proceedings. It makes all bankruptcy claims admissible, even if hearsay. And permits defense attorneys to dictate how a claimant's case shall be handled. This extreme and unjustified assault on victim' rights should be trashed, not treasured.

Recommendation

The OEC opposes this legislation.

Bill Ratings	
	This legislation will help resolve a serious problem that threatens Ohio's environment and demonstrates significant leadership for Ohio's future.
	This legislation will benefit Ohio's environment or shows foresight in setting future environmental policy.
	This legislation will somewhat - or on balance - benefit Ohio's environment.
	This legislation will cause substantial harm to Ohio's environment and demonstrates serious disregard for Ohio's future.
	This legislation will harm Ohio's environment or sets the state on the wrong path for future environmental policy.
	This legislation will somewhat - or on balance - harm Ohio's environment.