



# ARIZONA HOUSE OF REPRESENTATIVES

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## **SB 1157: asbestos claims; required information; liability**

**Sponsor: Senator Leach, LD 12**

**Committee on Judiciary**

### **Overview**

Outlines requirements for filing a personal injury claim involving asbestos exposure.

### **History**

In any action involving a personal injury claim, within 45 days after the filing of a defendant's answer, a plaintiff is required to provide all parties a sworn statement identifying each personal injury claim that the plaintiff has filed or reasonably anticipates filing against an asbestos trust. The statement for each claim must include the name, address and contact information for the asbestos trust, the amount claimed by the plaintiff, the date the plaintiff filed the claim, the disposition of the claim and whether there has been a request to defer, delay, suspend or toll the claim against the asbestos trust.

Additionally, within 60 days after the filing of a defendant's answer, a plaintiff is required to provide all parties with all of the following: 1) for each personal injury claim filed against an asbestos trust, a copy of the final executed proof of claim, all trust documents including trust of claims materials, trust governance documents, any documents reflecting the current status of the claim and, if the claim is settled, all documents relating to the settlement of the claim; and 2) a list of each personal injury claim the plaintiff reasonably anticipates filing against an asbestos trust, including the name, address and contact information for the asbestos trust and the amount that the plaintiff anticipates claiming against the asbestos trust ([A.R.S. § 12-782](#)).

### **Provisions**

1. Requires a person filing an action for a personal injury claim involving asbestos exposure to file a sworn statement within 45 days. (Sec. 1)
2. Lists the information required to be included in the sworn statement. (Sec. 1)
3. States the plaintiff has a continuing duty to supplement the information in the sworn statement. (Sec. 1)
4. Mandates the court, on motion by the defendant, to dismiss any claim in which the plaintiff did not provide the required information or the defendant's product or premises were not identified in the required disclosures. (Sec. 1)
5. Specifies the definition of *personal injury claim*. (Sec. 1)
6. Specifies this act applies to personal injury claims arising from asbestos exposure filed on or after the general effective date. (Sec. 2)

Prop 105 (45 votes)     Prop 108 (40 votes)     Emergency (40 votes)     Fiscal Note