

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2206**  
**101ST GENERAL ASSEMBLY**

4652H.02C

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal sections 516.120 and 516.140, RSMo, and to enact in lieu thereof three new sections relating to personal injury claims.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 516.120 and 516.140, RSMo, are repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 516.120, 516.140, and 537.892, to read as  
3 follows:

516.120. Within five years:

2 (1) All actions upon contracts, obligations or liabilities, express or implied, except  
3 those mentioned in section 516.110 **and section 516.140**, and except upon judgments or  
4 decrees of a court of record, and except where a different time is herein limited;

5 (2) An action upon a liability created by a statute other than a penalty or forfeiture;

6 (3) An action for trespass on real estate;

7 (4) An action for taking, detaining or injuring any goods or chattels, including actions  
8 for the recovery of specific personal property ~~[- or for any other injury to the person or rights~~  
9 ~~of another, not arising on contract and not herein otherwise enumerated];~~

10 (5) An action for relief on the ground of fraud, the cause of action in such case to be  
11 deemed not to have accrued until the discovery by the aggrieved party, at any time within ten  
12 years, of the facts constituting the fraud.

516.140. Within two years:

2 (1) An action for libel, slander, injurious falsehood, assault, battery, false  
3 imprisonment, criminal conversation, malicious prosecution or actions brought under  
4 section 290.140[-];

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5           (2) An action by an employee for the payment of unpaid minimum wages, unpaid  
6 overtime compensation or liquidated damages by reason of the nonpayment of minimum  
7 wages or overtime compensation, and for the recovery of any amount under and by virtue of  
8 the provisions of the Fair Labor Standards Act of 1938 and amendments thereto, such act  
9 being an act of Congress, shall be brought within two years after the cause accrued;

10           (3) **An action that accrues on or after August 28, 2022, for any injury to the**  
11 **person or rights of another, not arising on contract and not otherwise provided for by**  
12 **law, including actions for personal injury or bodily injury;**

13           (4) **An action that accrues on or after August 28, 2022, against an insurer**  
14 **relating to uninsured motorist coverage or underinsured motorist coverage, including**  
15 **any action to enforce such coverage.**

**537.892. 1. Within thirty days after an asbestos action is filed if the asbestos**  
2 **action was filed on or after August 28, 2022, or within thirty days of August 28, 2022, for**  
3 **an asbestos action that was filed before August 28, 2022, and is subject to the provisions**  
4 **of sections 537.880 to 537.892, the claimant shall file a sworn information form**  
5 **specifying the evidence that provides the basis for each claim against each defendant.**  
6 **The sworn information form shall include all of the following with specificity:**

7           (1) **The name, address, date of birth, marital status, occupation, smoking history,**  
8 **current and past worksites, and current and past employers of the exposed person, and**  
9 **any person through whom the exposed person was exposed to asbestos;**

10           (2) **Each person through whom the exposed person was exposed to asbestos and**  
11 **the exposed person's relationship to each person;**

12           (3) **Each person who is knowledgeable about each exposure;**

13           (4) **The manufacturer or seller of each asbestos or asbestos-containing product**  
14 **and the specific product involved in each exposure, including any person through whom**  
15 **the exposed person was exposed to asbestos;**

16           (5) **The specific location and manner of each exposure, including any person**  
17 **through whom the exposed person was exposed to asbestos;**

18           (6) **The beginning and ending dates of each exposure, the frequency and**  
19 **duration of each exposure, and the proximity of the asbestos-containing product or its**  
20 **use to the exposed person and any person through whom the exposed person was**  
21 **exposed to asbestos;**

22           (7) **The specific asbestos-related disease that is alleged;**

23           (8) **A certification that no prior asbestos actions have been made on the**  
24 **claimant's behalf or, if the claimant has filed prior asbestos actions, information as to**  
25 **the case name, case number, and court; and**

26           **(9) Any supporting documentation relating to the information required in this**  
27 **subsection.**

28           **2. A claimant's obligation to provide sworn information pursuant to subsection 1**  
29 **of this section is in addition to any court ordered disclosures. Claimants have a**  
30 **continuing duty to supplement the information that is required to be disclosed in**  
31 **subsection 1 of this section within ten days after the claimant receives additional**  
32 **information that is required to be disclosed.**

33           **3. The court, on motion by a defendant, shall dismiss the asbestos action without**  
34 **prejudice as to any defendant whose product or premises is not identified in the**  
35 **required disclosures set forth in subsection 1 of this section.**

36           **4. The court, on motion by a defendant, shall dismiss the asbestos action without**  
37 **prejudice if the claimant fails to comply with the requirements of this section.**

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