

HB 709 -- SILICA CLAIMS PRIORITIES ACT

SPONSOR: Shawan

This bill establishes the "Silica Claims Priorities Act."
The bill prohibits a person from bringing a claim alleging injury caused by the inhalation of silica unless the person can make a prima facie showing of physical impairment resulting from a medical condition for which silica exposure is a substantial factor. A prima facie showing shall include the following:

- (1) Evidence verifying the physician has taken occupational, exposure, medical, and smoking history from the exposed person;
- (2) Evidence verifying that the exposed person has silicosis;
- (3) Evidence verifying there has been a sufficient latency period;
- (4) A determination that the exposed person had a permanent respiratory impairment rating of at least Class 2; and
- (5) Evidence verifying that the exposed person's impairment was not more probably caused by something other than silica exposure.

This bill is similar to SCS SB 1102 (2018).