



*asbestos  
trust fund  
services  
group*

*Robert D. Brownson  
Brownson & Ballou, PLLP  
Minneapolis, MN*

*Clayton F. Farrell  
Collins, Einhorn,  
Farrell & Ulanoff, PC  
Southfield, MI*

*David M. Governo  
Governo Law Firm LLC  
Boston, MA*

*F. Grey Redditt, Jr.  
Vickers, Riis, Murray  
& Curran, LLC  
Mobile, AL*

*James N. Sinunu  
Adams Nye Sinunu  
Bruni Becht, LLC  
San Francisco, CA*

*Steven Wright  
Wright & Associates, PA  
Portland, ME*

## **SUMMATION OF PENDING LEGISLATION IN NEW YORK, PENNSYLVANIA, SOUTH CAROLINA, TENNESSEE, AND VIRGINIA**

### **NEW YORK**

A bill was introduced in the Senate, SB 5412, which would adopt medical criteria for asbestos cases, abolishes punitive damages in asbestos cases, and adopts an innocent seller immunity for asbestos cases. The bill does not address silica cases. On January 4, 2006, the bill was referred to the senate Health Committee.

### **PENNSYLVANIA**

A medical criteria bill governing asbestos cases has been introduced in the House, HB 1783. It also addresses consolidation and venue of asbestos cases. On June 22, 2005, the bill was referred to the Committee on Labor Relations.

### **SOUTH CAROLINA**

On January 12, 2006, the Asbestos and Silica Victims Protection Act of 2006, SB 1038, was introduced in the Senate. Except for claims for mesothelioma, no person may bring a claim for asbestos or silica without first making a prima facie showing that a qualified physician has diagnosed the claimant with an asbestos-related or silica-related disease. SB 1038 has been referred to the Committee on Judiciary.

### **TENNESSEE**

On February 10, 2005, a bill was introduced in the House, HB 1561, governing asbestos cases, and silica cases. It is a medical criteria bill, and also addresses premises liability reform, and piercing the corporate veil. It is similar to the enacted legislation in Ohio. HB 1561 has been referred to the Judiciary Committee.

## **VIRGINIA**

On January 11, 2006, a bill was introduced in the House, HB 1285, with medical criteria for asbestos and silica-related claims. HB 1285 has been referred to the Courts of Justice Committee.