

## Session 116 - (2005-2006)

**S\*1038 (Rat #0323, Act #0303 of 2006) General Bill, By Martin, Gregory, Cleary, Knotts, Richardson, Ryberg, Mescher, Scott, Grooms, Elliott, Verdin and Williams**

**Similar (H 4680)**

**Summary:** Asbestos and Silica Victims Protection Act of 2006

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 135 TO TITLE 44 TO ENACT THE "ASBESTOS AND SILICA CLAIMS PROCEDURE ACT OF 2006", SO AS TO PROVIDE THAT NO PERSON MAY RECEIVE A TRIAL DATE IN AN ASBESTOS OR SILICA CLAIM WITHOUT FIRST MAKING A PRIMA FACIE SHOWING THAT A QUALIFIED PHYSICIAN HAS DIAGNOSED THE PERSON WITH AN ASBESTOS-RELATED OR SILICA-RELATED DISEASE BASED ON THE PHYSICIAN'S ANALYSIS OF A DETAILED OCCUPATIONAL AND EXPOSURE HISTORY OF THE PERSON AND AN ANALYSIS OF THE PERSON'S MEDICAL HISTORY; TO ESTABLISH CRITERIA FOR THE REQUIRED MEDICAL DOCUMENTATION OF THE EXPOSED PERSON'S PHYSICAL IMPAIRMENT; TO ESTABLISH THAT THE LIMITATIONS PERIOD FOR AN EXPOSED PERSON OR CLAIMANT TO BRING AN ACTION DOES NOT BEGIN TO RUN UNTIL THE EXPOSED PERSON OR CLAIMANT DISCOVERS, OR SHOULD HAVE DISCOVERED, THAT THE EXPOSED PERSON OR CLAIMANT HAS OR HAD PHYSICAL IMPAIRMENT; TO CLARIFY THAT THIS CHAPTER DOES NOT AFFECT THE SCOPE OR OPERATION OF ANY WORKER'S COMPENSATION LAW OR VETERANS' BENEFIT PROGRAM; AND TO ESTABLISH CERTAIN OTHER REQUIREMENTS TO FILE AND MAINTAIN AN ASBESTOS OR SILICA CLAIM. - ratified title

01/12/06	Senate	Introduced and read first time SJ-8
01/12/06	Senate	Referred to Committee on Judiciary SJ-8
01/19/06	Senate	Referred to Subcommittee: Martin (ch), Gregory, Elliott, Hawkins, Ritchie
03/29/06	Senate	Committee report: Favorable with amendment Judiciary SJ-11
04/04/06	Senate	Amended SJ-36
04/04/06	Senate	Read second time SJ-36
04/05/06		Scrivener's error corrected
04/05/06	Senate	Read third time and sent to House SJ-29
04/06/06	House	Introduced and read first time HJ-8
04/06/06	House	Referred to Committee on Judiciary HJ-8
05/03/06	House	Committee report: Favorable with amendment Judiciary HJ-12
05/04/06		Scrivener's error corrected
05/10/06	House	Amended HJ-29
05/10/06	House	Read second time HJ-31
05/11/06	House	Read third time and returned to Senate with amendments HJ-16
05/11/06		Scrivener's error corrected
05/17/06	Senate	Concurred in House amendment and enrolled SJ-45
05/23/06		Ratified R 323
05/24/06		Signed By Governor
05/30/06		Scrivener's error corrected
05/31/06		Copies available
05/31/06		Effective date 05/24/06
06/08/06		Act No. 303