

HB 1649 -- ACTIONS FOR DAMAGES DUE TO EXPOSURE TO ASBESTOS

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This bill applies to asbestos tort actions filed on or after August 28, 2026, and to asbestos actions filed before August 28, 2026, unless the trial date in the asbestos action was set before January 1, 2026, and the trial will begin on or before December 1, 2026.

In its main provisions the bill:

- (1) Requires a claimant to provide all parties in an action a sworn statement and information form indicating that all asbestos trust claims that the claimant can file have been completed and filed. In addition, the claimant must provide all parties with all trust materials relating to the asbestos exposure and related claims;
- (2) Allows any defendant in an asbestos tort action to file a motion for an order to require the claimant to file the additional asbestos trust claims the defendant believes the claimant is eligible to file;
- (3) Requires trust claims materials and trust governance documents to be admissible in evidence. Claims of privilege do not apply to trust claims materials or trust governance documents;
- (4) Allows a rebuttable presumption that, if a claimant proceeds to trial in an asbestos action before an asbestos trust claim is resolved, the claimant is entitled to, and will receive, the compensation specified in the trust governance documents applicable to his or her claim at the time of trial; and
- (5) Requires the court to dismiss an action without prejudice if the claimant fails to comply with the disclosure requirements. A defendant may, within three years after judgment, move to reopen a judgment in an asbestos action if a claimant files certain additional asbestos trust claims.

For any paid, volunteer, or retired firefighter, paramedic, or emergency medical technician, the claimant must file a sworn information form that includes certain information, specified in the bill, within 30 days after an asbestos action is filed if the action was filed on or after August 28, 2026, or within 30 days of August 28, 2026, for an asbestos action that was filed before

August 28, 2026, and is subject to the provisions of this bill. Claimants have a continuing duty to supplement the information required to be disclosed within 10 days after the claimant receives additional information. The court must dismiss an asbestos action without prejudice as to any defendant whose product or premises is not identified in the required disclosures.

This bill is similar to HB 975 (2025) and HB 1966 (2024).