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March 29, 2023

Senator Bob Hackett
Chair, Ohio Senate Insurance Committee
1 Capitol Square, 1st Floor
Columbus, OH 43215

Dear Chairman Hackett:

I am writing on behalf of the 20,000 members of the National Federation of Independent Business in Ohio (NFIB) to lend support for Senate Bill 63. This important piece of pro-business legislation will prevent companies from being named in asbestos lawsuits where they have no liability while ensuring those who have been injured by asbestos can pursue claims against entities who they demonstrate have caused them harm. Senate Bill 63 is a fair, balanced bill that will help streamline the judicial process in Ohio.

Lawsuits can be particularly devastating to small businesses as they, in general, have limited resources. Being named in a lawsuit not only brings associated legal and other costs, but also can create an adverse perception among customers and/or potential investors, causing further negative financial consequences. Businesses that do not have resources tied up in litigation can reinvest and grow their operations. Senate Bill 63 addresses these issues.

Senate Bill 63 is simple in its intent: to make certain businesses that are named in a lawsuit should in fact be named by requiring upfront diligence by the plaintiff's legal counsel. The bill does nothing to take away or diminish an individual's ability to be compensated for the harm done by exposure to asbestos. Plaintiffs will still recover as they have under current law but likely in a more expedient matter. The legislation requires the plaintiff's counsel to obtain a sworn statement describing the basis for naming each defendant. Absent this statement, a defendant may file a motion to be dismissed and the judge shall grant the dismissal. It is important to note that nothing prohibits a dismissed defendant from being added to a lawsuit should new evidence linking that defendant to exposure arise.

We support Senate Bill 63 as it will save resources for small businesses, streamline the judicial process, and ensure that individuals harmed through asbestos exposure obtain all the compensation to which they are entitled more expediently. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Christopher J. Ferruso".

Christopher J. Ferruso
Interim State Director