
By: **Senators McFadden, Conway, Mitchell, and Sfikas**
Introduced and read first time: January 31, 2000
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Evidence - Pulmonary Function Tests for Asbestos Claims - Prohibition on**
3 **Race-Based Corrections**

4 FOR the purpose of prohibiting a court, for purposes of scheduling a trial date for a
5 claim concerning asbestosis or exposure to asbestos, from considering a
6 race-based correction for lung capacity or function in conjunction with a
7 pulmonary function test or any similar test that is designed to measure lung
8 capacity or function.

9 BY adding to
10 Article - Courts and Judicial Proceedings
11 Section 6-410
12 Annotated Code of Maryland
13 (1998 Replacement Volume and 1999 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Courts and Judicial Proceedings**

17 6-410.

18 FOR PURPOSES OF SCHEDULING A TRIAL DATE FOR A CLAIM INVOLVING
19 ASBESTOSIS OR EXPOSURE TO ASBESTOS, A COURT MAY NOT CONSIDER A
20 RACE-BASED CORRECTION FOR LUNG CAPACITY OR FUNCTION IN CONJUNCTION
21 WITH A PULMONARY FUNCTION TEST OR ANY SIMILAR TEST THAT IS DESIGNED TO
22 MEASURE LUNG CAPACITY OR FUNCTION.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2000.