

## S 1406

Respirator Access Assurance Act of 2005

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Law

**Introduced:** Jul 14, 2005

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Jul 14, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/1406>

### Sponsor

**Name:** Sen. Cornyn, John [R-TX]

**Party:** Republican • **State:** TX • **Chamber:** Senate

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Nelson, Ben [D-NE]	D · NE		Mar 14, 2006

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jul 14, 2005

### Subjects & Policy Tags

#### Policy Area:

Law

### Related Bills

Bill	Relationship	Last Action
109 HR 2357	Related bill	<b>Oct 19, 2005:</b> Sponsor introductory remarks on measure. (CR H8953)

## Summary (as of Jul 14, 2005)

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Respirator Access Assurance Act of 2005 - States that manufacturers or sellers of respirators shall not be subject to claims for defective design or warning, or any claims based on such allegations, if the respirator in question received National Institute for Occupational Safety and Health (NIOSH) approval and was manufactured in compliance with NIOSH-approved design and labeling in effect on the date of manufacture.

Provides for withdrawal of a previous NIOSH approval of a respirator on grounds of misrepresentation of material information or bribery of a NIOSH officer or employee (thus subjecting the manufacturer or seller to liability for a claim).

Preempts all state and local laws with regard to such claims.

Makes this Act applicable to any civil action in federal or state court for harm allegedly caused by a respirator, respirator manufacturer, or respirator seller.

Applies this Act to any action than has not proceeded to trial as of the date of enactment.

## Actions Timeline

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- **Jul 14, 2005:** Introduced in Senate
- **Jul 14, 2005:** Sponsor introductory remarks on measure. (CR S8320-8321)
- **Jul 14, 2005:** Read twice and referred to the Committee on the Judiciary.

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