

119TH CONGRESS
1ST SESSION

H. R. 5437

To prohibit civil actions brought against a manufacturer or seller of a stone slab product for harm resulting from the alteration of such a product by a fabricator, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2025

Mr. MCCLINTOCK (for himself and Mr. BIGGS of Arizona) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To prohibit civil actions brought against a manufacturer or seller of a stone slab product for harm resulting from the alteration of such a product by a fabricator, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protection of Lawful
5 Commerce in Stone Slab Products Act”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Civil actions have been commenced against
2 manufacturers and sellers of certain stone slab prod-
3 ucts, including those used for kitchen countertops
4 and similar applications. These products are not in-
5 herently dangerous and upon their manufacture and
6 entry into the stream of commerce, they do not pose
7 an inherent risk of injury to human beings.

8 (2) These civil actions seek money damages
9 from manufacturers and sellers by persons who
10 claim personal injuries as a result of exposure to sili-
11 ca dust produced during the alteration of such prod-
12 ucts in the course of their employment by third-
13 party fabricators. The manufacturers and sellers of
14 these products have no control over these fabrica-
15 tors.

16 (3) The alteration of such products is heavily
17 regulated by Federal and State workplace safety
18 laws and regulations, including section 1910.1053 of
19 title 29, Code of Federal Regulations, and California
20 Labor Code Section 5204, which require a variety of
21 safety measures that fabricators must employ in
22 order to mitigate the risk of potential injuries posed
23 by silica dust. However, some fabricators fail to
24 comply with these requirements and thereby expose
25 their employees and others to the potential harms

1 that these laws and regulations are intended to pre-
2 vent.

3 (4) Businesses located or conducting business
4 in the United States that are engaged in interstate
5 and foreign commerce through the lawful design,
6 manufacture, marketing, distribution, importation,
7 or sale to third-parties of certain stone slab products
8 are not responsible, and should not be held liable,
9 for the alleged injuries caused by those who alter the
10 product in a way that is unsafe or violates Federal
11 and State laws and regulations.

12 (5) The possibility of imposing liability on an
13 entire industry for alleged injuries that are solely
14 caused by others is an abuse of the legal system,
15 erodes public confidence in our Nation's laws, invites
16 the disassembly and destabilization of other indus-
17 tries and economic sectors lawfully competing in the
18 free enterprise system of the United States, and con-
19 stitutes an unreasonable burden on interstate and
20 foreign commerce of the United States.

21 (6) A proliferation of frivolous lawsuits against
22 manufacturers and sellers of stone slab products for
23 alleged workplace injuries caused by the actions of
24 third-parties unrelated to and beyond the control of
25 these manufacturers and sellers may further limit

1 access to courts by straining the resources of the
2 legal system and depriving deserving parties of their
3 legitimate rights to relief.

4 (b) PURPOSES.—The purposes of this Act are as fol-
5 lows:

6 (1) To prohibit civil actions against manufac-
7 turers and sellers of stone slab products for injuries
8 caused by exposure to respirable silica or other sub-
9 stances arising from or relating to the fabrication of
10 such products by third-parties.

11 (2) To preserve consumers' access to a supply
12 of stone slab products, to protect manufacturers and
13 sellers from frivolous civil actions alleging liability
14 for such injuries, and to preserve a lawful industry
15 that employs tens of thousands of Americans in sev-
16 eral States.

17 (3) To prevent the use of such civil actions to
18 impose unreasonable burdens on interstate and for-
19 eign commerce.

20 (4) To exercise congressional power under arti-
21 cle IV, section 1 of the Constitution (the Full Faith
22 and Credit Clause).

1 **SEC. 3. PROHIBITION ON BRINGING OF QUALIFIED CIVIL**
2 **ACTIONS IN FEDERAL OR STATE COURT.**

3 (a) IN GENERAL.—A qualified civil action may not
4 be brought in any Federal or State court.

5 (b) DISMISSAL OF PENDING ACTIONS.—A qualified
6 civil action that is pending on the date of enactment of
7 this Act shall be dismissed, as soon as is practicable after
8 the date of enactment of this Act, by the court in which
9 the action is pending.

10 **SEC. 4. DEFINITIONS.**

11 In this Act:

12 (1) FABRICATION.—The term “fabrication”
13 means the process of altering a qualified product by
14 cutting, drilling, shaping, polishing, grinding, or
15 other means.

16 (2) QUALIFIED CIVIL ACTION.—The term
17 “qualified civil action” means a civil action brought
18 against a manufacturer or seller of a qualified prod-
19 uct for injuries arising from or related to the fab-
20 rication by another party of a qualified product, in-
21 cluding those caused by exposure to respirable silica
22 or other substances.

23 (3) QUALIFIED PRODUCT.—The term “qualified
24 product” means a stone slab product, including such
25 a product made with quartz, mineral, crystal, glass,
26 porcelain, or other stone, ceramic or similar mate-

1 rial, that has been shipped or transported in inter-
2 state or foreign commerce.

3 (4) SELLER.—The term “seller” means an im-
4 porter, a distributor, a retailer, or a supplier of a
5 qualified product.

6 (5) STATE.—The term “State” includes each of
7 the several States of the United States, the District
8 of Columbia, the Commonwealth of Puerto Rico, the
9 United States Virgin Islands, Guam, American
10 Samoa, and the Commonwealth of the Northern
11 Mariana Islands, and any other territory or posses-
12 sion of the United States, and any political subdivi-
13 sion of any such place.

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