

119TH CONGRESS
2D SESSION

S. 4792

To prohibit civil liability actions from being brought or continued against manufacturers and sellers of stone slab products for damages, injunctive, or other relief resulting from the misuse of their products by others.

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2026

Mrs. MOODY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prohibit civil liability actions from being brought or continued against manufacturers and sellers of stone slab products for damages, injunctive, or other relief resulting from the misuse of their products by others.

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 of 2026”.

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 the laws of the United
16 States, invites the disassembly and destabilization of
17 other industries and economic sectors lawfully com-
18 peting in the free enterprise system of the United
19 States, and constitutes an unreasonable burden on
20 interstate and foreign commerce of the United
21 States.

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

1 these manufacturers and sellers may further limit
2 access to courts by straining the resources of the
3 legal system and depriving deserving parties of their
4 legitimate rights to relief.

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

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

12 (2) To preserve the access of consumers to a
13 supply of stone slab products, to protect manufac-
14 turers and sellers from frivolous civil actions alleging
15 liability for such injuries, and to preserve a lawful
16 industry that employs tens of thousands of people of
17 the United States in several States.

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

21 (4) To exercise congressional power under the
22 Full Faith and Credit Clause of section 1 of article
23 IV of the Constitution of the United States.

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 similar means.

16 (2) QUALIFIED CIVIL ACTION.—The term
17 “qualified civil action”—

18 (A) means a civil action brought against a
19 manufacturer or seller of a qualified product for
20 harm suffered from silicosis or another condi-
21 tion relating to or associated with silicosis re-
22 sulting or arising from the occupational expo-
23 sure to crystalline silica or other substances
24 generated during fabrication of a qualified
25 product; and

1 (B) does not include an action in which a
2 manufacturer or seller of a qualified product
3 was an employer of the injured party.

4 (3) QUALIFIED PRODUCT.—The term “qualified
5 product” means a stone slab product, including such
6 a product made with or containing quartz, mineral,
7 crystal, glass, porcelain, or other stone, ceramic or
8 similar material, that has been shipped or trans-
9 ported in interstate or foreign commerce, the fab-
10 rication of which is subject to Federal or State occu-
11 pational health and safety statutes and regulations,
12 including those pertaining to respirable crystalline
13 silica.

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

17 (5) STATE.—The term “State” includes each of
18 the several States of the United States, the District
19 of Columbia, the Commonwealth of Puerto Rico, the
20 United States Virgin Islands, Guam, American
21 Samoa, and the Commonwealth of the Northern
22 Mariana Islands, and any other territory or posses-
23 sion of the United States, and any political subdivi-
24 sion of any such place.

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