

119TH CONGRESS
1ST SESSION

H. R. 3548

To preclude absolute liability in any action against a property owner or contractor for projects receiving Federal financial assistance for infrastructure and transportation development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2025

Mr. LANGWORTHY (for himself, Ms. TENNEY, and Ms. STEFANIK) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To preclude absolute liability in any action against a property owner or contractor for projects receiving Federal financial assistance for infrastructure and transportation development, 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 “Infrastructure Expan-
5 sion Act of 2025”.

1 **SEC. 2. PRESERVATION OF FEDERAL FINANCIAL ASSIST-**
2 **ANCE FOR INFRASTRUCTURE AND TRANS-**
3 **PORTATION DEVELOPMENT.**

4 (a) NO ABSOLUTE LIABILITY ON CERTAIN
5 PROJECTS.—For any project that receives Federal finan-
6 cial assistance, benefits from Federal tax incentives, or is
7 subject to Federal permitting requirements, no action on
8 the basis of absolute liability may be instituted by a cov-
9 ered person against a property owner or a party to a con-
10 tract or subcontract relating to the property that is the
11 subject of the project for any injury associated with an
12 elevation or gravity-related risk occurring on that project.

13 (b) COMPARATIVE NEGLIGENCE LIABILITY STAND-
14 ARD FOR CERTAIN CLAIMS.—For any project described in
15 subsection (a)—

16 (1) a State may not impose absolute liability in
17 any form for elevation or gravity-related risks; and

18 (2) a comparative negligence liability standard
19 shall apply to any claim brought by a covered person
20 against a property owner or contractor for an injury
21 associated with an elevation or gravity-related risk in
22 which—

23 (A) such negligence is a proximate cause of
24 an injury to a person; and

25 (B) State law would otherwise apply abso-
26 lute liability as the basis for such a claim.

1 (c) FEDERAL PREEMPTION.—This Act shall super-
2 sede and preempt any State law that imposes absolute li-
3 ability standards for elevation or gravity-related risks on
4 projects receiving Federal financial assistance. States shall
5 adopt comparative negligence standards pursuant to this
6 Act for claims arising under a project described in sub-
7 section (a).

8 (d) FEDERAL COURT JURISDICTION.—All claims
9 arising under this Act shall be subject to exclusive jurisdic-
10 tion of the Federal courts of the United States, precluding
11 State courts from applying absolute liability standards to
12 covered projects.

13 (e) DEFINITIONS.—In this section:

14 (1) ABSOLUTE LIABILITY.—The term “absolute
15 liability” means liability for a personal injury or
16 death that is imposed without consideration of the
17 responsibility of the injured person, including failure
18 to follow safety instructions or safe work practices in
19 accordance with training provided, failure to utilize
20 provided safety equipment or devices, impairment by
21 the use of drugs or alcohol, or involvement in a
22 criminal act, when such failure, impairment, or act
23 is a proximate cause of an injury to such person.

24 (2) COVERED PERSON.—The term “covered
25 person” means any person who supervises or per-

1 forms any work on or who is otherwise affiliated
2 with a project.

3 (3) ELEVATION OR GRAVITY-RELATED RISK.—

4 The term “elevation or gravity-related risk” means
5 a hazard related to the effects of gravity either due
6 to the difference between the elevation level of the
7 required work and a lower level or a difference be-
8 tween the elevation level where the worker is posi-
9 tioned and the higher level of the materials or load
10 being hoisted or secured.

11 (4) FEDERAL FINANCIAL ASSISTANCE.—The

12 term “Federal financial assistance” means any di-
13 rect or indirect funding, including grants, loans, loan
14 guarantees, tax credits, Build America Bonds,
15 bonds, or other incentives provided by the Federal
16 Government to support infrastructure or transpor-
17 tation development.

18 (5) PROJECT.—The term “project” means—

19 (A) the construction, erection, demolition,
20 repairing, altering, painting, cleaning, or point-
21 ing of a highway, bridge, tunnel, airport, rail-
22 way, bus or railroad station, depot, pier, harbor,
23 park, building, support facility, or utilities; and

24 (B) any infrastructure associated with an
25 activity described in subparagraph (A), includ-

1 ing private developments required to modify
2 public assets as a condition of construction or
3 permitting.

4 (6) STATE.—The term “State” includes an au-
5 thority, agency, metropolitan planning organization,
6 district, commission, corporation, or other political
7 subdivision of, or affiliation with, a State or local
8 government, or bi-State entity or compact.

9 (f) WORKERS’ COMPENSATION LAWS.—Nothing in
10 this section shall be construed to preempt any law of a
11 State providing for workers’ compensation.

12 (g) EFFECTIVE DATE.—This section applies to
13 claims arising from projects in which a State or local gov-
14 ernment accepts Federal financial assistance on or after
15 January 1, 2026.

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