

By: Gámez

H.B. No. 1125

A BILL TO BE ENTITLED

AN ACT

relating to prohibited provisions in a settlement agreement between a governmental agency and employee regarding a claim or complaint involving sexual assault or certain unlawful conduct based on sex.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Title 5, Civil Practice and Remedies Code, is amended by adding Chapter 118 to read as follows:

CHAPTER 118. GOVERNMENTAL AGENCY SETTLEMENT AGREEMENTS INVOLVING SEXUAL ASSAULT OR SEX DISCRIMINATION CLAIMS

Sec. 118.001. APPLICABILITY. (a) This chapter applies to a settlement agreement between a governmental agency and the agency's employee related to a claim filed in a civil action or a complaint filed in an administrative action involving:

(1) sexual assault or aggravated sexual assault; or

(2) an unlawful employment practice based on sex in violation of Subchapter B, Chapter 21, Labor Code, or retaliation that violates Section 21.055, Labor Code, in connection with an unlawful employment practice based on sex in violation of Subchapter B, Chapter 21, Labor Code.

(b) For purposes of Subsection (a), "sexual assault" and "aggravated sexual assault" mean conduct described by Section 22.011 or 22.021, Penal Code, respectively.

Sec. 118.002. PROHIBITED PROVISIONS IN GOVERNMENTAL AGENCY SETTLEMENT AGREEMENTS. (a) A settlement agreement to which this

1 chapter applies may not contain a provision that prevents the
2 disclosure of factual information related to the claim or complaint
3 unless the provision is requested by the employee.

4 (b) A provision that is prohibited by Subsection (a) in a
5 settlement agreement is void and unenforceable as against public
6 policy.

7 (c) In determining the factual foundation of a cause of
8 action for civil damages in an action involving a claim or complaint
9 described by Section 118.001, a court may consider the pleadings
10 and other papers in the record or any other findings of the court.

11 (d) This section does not prohibit the entry or enforcement
12 of a provision in a settlement agreement that prevents the
13 disclosure of the amount paid to settle the claim or complaint.

14 SECTION 2. The change in law made by this Act applies only
15 to a settlement agreement entered into on or after the effective
16 date of this Act.

17 SECTION 3. This Act takes effect September 1, 2025.