

## **BILL ANALYSIS**

Senate Research Center

H.B. 748  
By: Leach et al. (Paxton)  
State Affairs  
5/7/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

While non-disclosure agreements (NDAs) have a legitimate use for some business information, such as trade secrets or protecting sensitive client information, NDAs are also used to silence sexual abuse victims. This protects predators and the organizations or institutions whose negligence enabled the abuse.

Not only does this silence prevent justice from being served in the victim's specific case, the absence of justice endangers additional Texans who may be future victims of the same perpetrator.

H.B. 748 prohibits and invalidates the usage of non-disclosure agreements in settlement agreements relating to sexual abuse.

H.B. 748 amends current law relating to the enforceability of certain nondisclosure or confidentiality provisions with respect to an act of sexual abuse.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Authorizes this Act to be cited as Trey's Law.

SECTION 2. Amends Title 6, Civil Practice and Remedies Code, by adding Chapter 129C, as follows:

#### **CHAPTER 129C. AGREEMENTS PROHIBITING DISCLOSURES REGARDING SEXUAL ABUSE**

Sec. 129C.001. DEFINITION. Defines "act of sexual abuse."

Sec. 129C.002. CERTAIN PROVISIONS UNENFORCEABLE. Provides that any provision of a nondisclosure or confidentiality agreement or nondisclosure or confidentiality provision of an employment agreement, settlement agreement, or any other agreement is void and unenforceable as against the public policy of this state to the extent the provision prohibits a person, including a party, from disclosing an act of sexual abuse or facts related to an act of sexual abuse to any other person. Provides that nothing in this section may be construed to prohibit a person, including a party, from agreeing to keep confidential any other provision of a settlement agreement, including the amount or payment terms of a settlement.

SECTION 3. (a) Provides that, subject to Subsection (b) of this section, the change in law made by this Act applies to an agreement entered into before, on, or after the effective date of this Act.

(b) Prohibits a person, including a party, from enforcing or attempting to enforce an agreement or a provision of an agreement described by Section 129C.002, Civil Practice

and Remedies Code, as added by this Act, entered into before the effective date of this Act unless the person obtains a declaratory judgment under Chapter 37 (Declaratory Judgments), Civil Practice and Remedies Code, that is final and not subject to appeal and declares that the agreement or provision is enforceable.

SECTION 4. Effective date: September 1, 2025.