

## **BILL ANALYSIS**

Senate Research Center  
89R9201 AMF-D

S.B. 835  
By: Paxton  
State Affairs  
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As Filed

### **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 childhood sexual abuse victims. This protects predators and the youth-serving 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 children who may be future victims of the same perpetrator.

S.B. 835 prohibits and invalidates the usage of non-disclosure agreements in settlement agreements relating to child sexual abuse.

As proposed, S.B. 835 amends current law relating to the enforceability of certain nondisclosure or confidentiality provisions with respect to an act of sexual abuse committed against a child.

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

#### **CHAPTER 129C. AGREEMENTS PROHIBITING DISCLOSURES REGARDING CHILD 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:

- (1) prohibits a party from notifying, or limits the party's ability to notify, a local or state law enforcement agency or any state or federal regulatory agency of any act of sexual abuse committed against a child; or
- (2) prohibits a party from disclosing to any person, including during any related investigation, prosecution, legal proceeding, or dispute resolution, facts surrounding any act of sexual abuse committed against a child, including the identity of the alleged offender.

SECTION 2. Provides that the change in law made by this Act applies to an agreement entered into before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2025.