

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 835
By: Paxton
State Affairs
5/13/2025
Committee Report (Substituted)

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.

(Original Author/Sponsor's Statement of Intent)

C.S.S.B. 835 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 that 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.