

By: Leach, Johnson, Little, Cook, Meyer

H.B. No. 748

Substitute the following for H.B. No. 748:

By: Leach

C.S.H.B. No. 748

A BILL TO BE ENTITLED

AN ACT

relating to the enforceability of certain nondisclosure or confidentiality provisions with respect to an act of sexual abuse.

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

SECTION 1. This Act may be cited as Trey's Law.

SECTION 2. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 129C to read as follows:

CHAPTER 129C. AGREEMENTS PROHIBITING DISCLOSURES REGARDING SEXUAL ABUSE

Sec. 129C.001. DEFINITION. In this chapter, "act of sexual abuse" means conduct described by:

(1) Section 261.001(1)(E), (F), (G), (H), (K), or (L), Family Code; or

(2) one or more of the following penal laws:

(A) indecency with a child under Section 21.11, Penal Code;

(B) sexual assault under Section 22.011, Penal Code;

(C) aggravated sexual assault under Section 22.021, Penal Code;

(D) sexual performance by a child under Section 43.25, Penal Code;

(E) trafficking of persons under Section 20A.02(a)(3), (4), (7), or (8), Penal Code; and

(F) compelling prostitution under Section 43.05,
Penal Code.

Sec. 129C.002. CERTAIN PROVISIONS UNENFORCEABLE. 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 party from disclosing an act of
sexual abuse or facts related to an act of sexual abuse to any other
person. Nothing in this section may be construed to prohibit 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. 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 4. This Act takes effect September 1, 2025.