

By: Leach

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 committed against a child.

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

SECTION 1. Title 6, Civil Practice and Remedies Code, is amended by adding Chapter 129C to read as follows:

CHAPTER 129C. AGREEMENTS PROHIBITING DISCLOSURES REGARDING CHILD
SEXUAL ABUSE

Sec. 129C.001. DEFINITIONS. In this chapter:

(1) "Act of sexual abuse" means conduct described by 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.

1 (2) "Child" means a person younger than 17 years of
2 age.

3 Sec. 129C.002. CERTAIN PROVISIONS UNENFORCEABLE. Any
4 provision of a nondisclosure or confidentiality agreement,
5 employment agreement, settlement agreement, or any other agreement
6 is void and unenforceable as against the public policy of this state
7 to the extent the provision:

8 (1) prohibits a party from notifying, or limits the
9 party's ability to notify, a local or state law enforcement agency
10 or any state or federal regulatory agency of an act of sexual abuse
11 committed against a child; or

12 (2) prohibits a party from disclosing to any person,
13 including during any related investigation, prosecution, legal
14 proceeding, or dispute resolution, facts surrounding any act of
15 sexual abuse committed against a child, including the identity of
16 the alleged offender.

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

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