

By: Paxton, et al.

S.B. No. 835

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

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

3 Sec. 129C.002. CERTAIN PROVISIONS UNENFORCEABLE. Any
4 provision of a nondisclosure or confidentiality agreement or
5 nondisclosure or confidentiality provision of an employment
6 agreement, settlement agreement, or any other agreement is void and
7 unenforceable as against the public policy of this state to the
8 extent the provision prohibits a person, including a party, from
9 disclosing an act of sexual abuse or facts related to an act of
10 sexual abuse to any other person. Nothing in this section may be
11 construed to prohibit a person, including a party, from agreeing to
12 keep confidential any other provision of a settlement agreement,
13 including the amount or payment terms of a settlement.

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

17 (b) A person, including a party, may not enforce or attempt
18 to enforce an agreement or a provision of an agreement described by
19 Section 129C.002, Civil Practice and Remedies Code, as added by
20 this Act, entered into before the effective date of this Act unless
21 the person obtains a declaratory judgment under Chapter 37, Civil
22 Practice and Remedies Code, that is final and not subject to appeal
23 and declares that the agreement or provision is enforceable.

24 SECTION 4. This Act takes effect September 1, 2025.