

No. 2019-89

AN ACT

HB 1171

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, in particular rights and immunities, providing for contracts or agreements for nondisclosure of certain conduct.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

**§ 8316.2. Contracts or agreements for nondisclosure of certain conduct.**

*(a) Void provisions.—A provision of an agreement, contract, settlement or similar instrument that does any of the following shall be void and unenforceable:*

*(1) prohibits or attempts to prohibit the disclosure of the name of a person suspected of childhood sexual abuse to law enforcement authorities;*

*(2) suppresses or attempts to suppress information relevant to an investigation by law enforcement authorities into a claim of childhood sexual abuse; or*

*(3) impairs or attempts to impair the ability of a person to report a claim of childhood sexual abuse to law enforcement authorities.*

*(b) Form.—Any agreement, contract, settlement or similar instrument settling a claim of childhood sexual abuse shall be presumed<sup>1</sup> to satisfy this section if it does not contain a provision prohibited by subsection (a) and if it includes a notice printed in boldface, 12-point font or larger, as follows or in a substantially similar form:*

**NOTICE TO ALL PARTIES**

*By signing this agreement, you do not surrender your right to speak to law enforcement about the actions, underlying facts or circumstances referenced in this agreement.*

*I (we) acknowledge receipt of the above notice.*

*(Signature).....(Date).....*

*(c) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:*

*"Childhood sexual abuse." The term shall have the same meaning as "sexual abuse or exploitation" in 23 Pa.C.S. § 6303 (relating to definitions).*

*"Law enforcement authorities." The term shall have the same meaning as "law enforcement official" in 23 Pa.C.S. § 6303.*

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<sup>1</sup>Any agreement, contract, settlement or similar instrument, settling a claim of childhood sexual abuse, shall be presumed" in enrolled bill.

Section 2. This act shall take effect in 60 days.

APPROVED—The 26th day of November, A.D. 2019

TOM WOLF