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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2652 Session of  
2018

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INTRODUCED BY BURNS, MURT, DALEY, YOUNGBLOOD, BARRAR, HARKINS,  
J. McNEILL, CALTAGIRONE, CONKLIN, READSHAW AND TAI,  
SEPTEMBER 21, 2018

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 21, 2018

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AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the  
2 Pennsylvania Consolidated Statutes, in particular rights and  
3 immunities, providing for nondisclosure agreements.

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

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

8 § 8316.2. Nondisclosure agreements.

9 (a) General rule.--A provision in a settlement agreement  
10 that prevents the disclosure of the underlying facts and  
11 circumstances to the action is prohibited in any civil action  
12 the factual foundation for which establishes a cause of action  
13 for civil damages for an act of sexual abuse or exploitation of  
14 a child.

15 (b) Agreement void.--A provision in a settlement agreement  
16 entered into on or after the effective date of this section that  
17 prevents the disclosure of the underlying facts and  
18 circumstances to the action described in subsection (a) is void

1 and unenforceable.

2 (c) Definition.--As used in this section, the term "sexual  
3 abuse or exploitation" means sexual abuse or exploitation as  
4 defined in 23 Pa.C.S. § 6303(a) (relating to definitions).

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