
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1171 Session of
2019

INTRODUCED BY TOOHIL, MURT, STEPHENS, JAMES, NEILSON, DONATUCCI,
PICKETT, MILLARD AND LAWRENCE, APRIL 9, 2019

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 9, 2019

AN ACT

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

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

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

9 § 8316.2. Contracts or agreements for nondisclosure of certain
10 conduct.

11 (a) Prohibition.--No person may enter into, revise or amend
12 any agreement, contract, settlement or similar instrument that
13 includes a provision that:

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

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

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

4 (b) Void provisions.--A provision of any agreement,
5 contract, settlement or similar instrument that is contrary to
6 this section shall be void and unenforceable.

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

10 "Childhood sexual abuse." Conduct that is subject to 23
11 Pa.C.S. Ch. 63 (relating to child protective services) and is
12 directed toward or against a child or student, regardless of the
13 age of the child or student.

14 "Law enforcement authorities." An individual or entity
15 charged with the enforcement of Federal, State or local laws.

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