

2026 Regular Session

SENATE BILL NO. 185

BY SENATOR PRESSLY

SEX OFFENSES. Provides that nondisclosure agreements involving victims of child sexual abuse are against public policy and unenforceable. (gov sig)

1 AN ACT

2 To enact Chapter 1-D of Code Title IV of Title 9 of the Louisiana Revised Statutes of 1950,  
3 to be comprised of R.S. 9:2720.21 through 2720.23, relative to requisites for a valid  
4 agreement; to prohibit nondisclosure agreements involving victims of child sexual  
5 abuse; to provide for terms and definitions; to provide relative to enforcement of  
6 nondisclosure agreements in certain circumstances; to provide for retroactive  
7 application; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 1-D of Code Title IV of Title 9 of the Louisiana Revised Statutes  
10 of 1950, comprised of R.S. 9:2720.21 through 2720.23 is hereby enacted to read as follows:

11 **CHAPTER 1-D. TERMINATING RESTRICTIVE ENFORCEMENT**

12 **OF YOUTH SETTLEMENTS LAW**

13 **§2720.21. Short title**

14 **This Chapter shall be known and may be cited as the "Terminating**  
15 **Restrictive Enforcement of Youth Settlements Law" or "TREY'S Law".**

16 **§2720.22. Definitions**

17 **As used in this Chapter, the following terms have the following**

1 meanings:

2 (1) "Minor" means a person who has not attained eighteen years of age.

3 (2) "Nondisclosure clause" means a provision in a contract or agreement  
4 that prohibits one or more parties to the contract or agreement from disclosing  
5 conduct or information covered by the terms and conditions of the contract or  
6 agreement.

7 (3) "Sexual abuse" means:

8 (a) Any sexual act or conduct constituting a crime under the laws of this  
9 state, including a sex offense or sexual offense as defined in R.S. 15:541,  
10 regardless of whether the conduct results in a criminal charge, conviction,  
11 adjudication, or sentence.

12 (b) Any sexual act or conduct constituting abuse as defined in Children's  
13 Code Article 603, including the aiding or toleration of a minor's involvement in  
14 any sexual act or sexual activity.

15 §2720.23. Nondisclosure agreements; victims of child sexual abuse; void and  
16 unenforceable

17 A. A nondisclosure clause shall be void and unenforceable as against  
18 public policy only to the extent that the nondisclosure clause prohibits the  
19 following:

20 (1) A victim or alleged victim of sexual abuse against a minor from  
21 disclosing that act of sexual abuse, or facts related to that act of sexual abuse.

22 (2) Any other person from disclosing facts related to sexual abuse against  
23 a minor in support of, in furtherance of, or consistent with the right of a victim  
24 or alleged victim to disclose under Paragraph (A)(1) of this Section.

25 B. Notwithstanding any provision of law to the contrary, nothing in this  
26 Section shall be construed to prohibit a person, including a victim or alleged  
27 victim of sexual abuse against a minor, from entering into a contract or  
28 agreement that restricts the disclosure of information, including the amount or  
29 payment terms of a settlement, by another party to the contract or agreement,

1           including an alleged perpetrator, provided that such restriction does not  
 2           prevent disclosure protected pursuant to Subsection A of this Section.

3           C. No person may enforce or attempt to enforce a nondisclosure clause  
 4           provided for in this Section, regardless of the date that the contract or  
 5           agreement containing the nondisclosure clause was entered into.

6           Section 2. The provisions of this Act shall apply retroactively and prospectively to  
 7           any nondisclosure clause in a contract or agreement entered into before, on, or after the  
 8           effective date of this Act.

9           Section 3. This Act shall become effective upon signature by the governor or, if not  
 10          signed by the governor, upon expiration of the time for bills to become law without signature  
 11          by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 12          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 13          effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Senate Legislative Services.  
 The keyword, summary, and digest do not constitute part of the law or proof  
 or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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#### DIGEST

SB 185 Reengrossed

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Pressly

Proposed law provides that proposed law shall be known and may be cited as the  
 "Terminating Restrictive Enforcement of Youth Settlements Law" or "TREY'S Law".

Proposed law provides that "minor" means a person who has not attained 18 years of age.

Proposed law provides that "nondisclosure clause" means a provision in a contract or  
 agreement that prohibits one or more parties to the contract or agreement from disclosing  
 conduct or information covered by the terms and conditions of the contract or agreement.

Proposed law provides that "sexual abuse" means:

- (1) Any sexual act or conduct constituting a crime under the laws of this state, including  
 a sex offense or sexual offense as defined in present law (R.S. 15:541), regardless  
 of whether the conduct results in a criminal charge, conviction, adjudication, or  
 sentence.
- (2) Any sexual act or conduct constituting abuse as defined in present law (Ch.C. Art.  
 603), including the aiding or toleration of a minor's involvement in any sexual act or  
 sexual activity.

Proposed law provides that a nondisclosure clause shall be void and unenforceable as against  
 public policy only to the extent that the nondisclosure clause prohibits the following:

- (1) A victim or alleged victim of sexual abuse against a minor from disclosing that act of sexual abuse, or facts related to that act of sexual abuse.
- (2) Any other person from disclosing facts related to sexual abuse against a minor in support of, in furtherance of, or consistent with the right of a victim or alleged victim to disclose under proposed law.

Proposed law provides that notwithstanding any provision of law to the contrary, nothing in proposed law shall be construed to prohibit a person, including a victim or alleged victim of sexual abuse against a minor, from entering into a contract or agreement that restricts the disclosure of information, including the amount or payment terms of a settlement, by another party to the contract or agreement, including an alleged perpetrator, provided that such restriction does not prevent disclosure protected pursuant to proposed law.

Proposed law provides that no person may enforce or attempt to enforce a nondisclosure clause provided for in proposed law, regardless of the date that the contract or agreement containing the nondisclosure clause was entered into.

Proposed law provides that the provisions of proposed law shall apply retroactively and prospectively to any nondisclosure clause in a contract or agreement entered into before, on, or after the date of proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 9:2720.21-2720.23)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Defines "minor"; "nondisclosure clause"; "sexual abuse".
2. Provides circumstances in which a nondisclosure clause shall be void and unenforceable as against public policy.
3. Authorizes a person, including a victim or alleged victim of sexual abuse against a minor and another party to the contract or agreement, including an alleged perpetrator to enter a contract or agreement that restricts the disclosure of information provided that such restriction does not prevent disclosure protected by law.
4. Provides for retroactive and prospective application of any nondisclosure clause in a contract or agreement.

##### Senate Floor Amendments to engrossed bill

1. Makes technical changes.
2. Effective upon signature of governor or lapse of time for gubernatorial action.