

House Bill 1187 (AS PASSED HOUSE AND SENATE)

By: Representatives Hong of the 103<sup>rd</sup>, Gambill of the 15<sup>th</sup>, Seabaugh of the 34<sup>th</sup>, Wade of the 9<sup>th</sup>, Gunter of the 8<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 8 of Chapter 11 of Title 9 of the Official Code of Georgia Annotated,  
2 relating to provisional and final remedies and special proceedings, so as to prohibit as  
3 contrary to the public policy of this state any contract or agreement that has the purpose or  
4 effect of concealing the details relating to a claim of childhood sexual abuse; to provide for  
5 the confidentiality of identifying information of victims of childhood sexual abuse; to  
6 provide for a short title; to provide for related matters; to provide for an effective date; to  
7 repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as "Trey's Law."

11 **SECTION 2.**

12 Article 8 of Chapter 11 of Title 9 of the Official Code of Georgia Annotated, relating to  
13 provisional and final remedies and special proceedings, is amended by revising Code  
14 Section 9-11-63, which was reserved, as follows:

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15 "9-11-63.

16 (a) Any provision of a nondisclosure or confidentiality agreement or nondisclosure or  
17 confidentiality provision of an employment agreement, settlement agreement, or any other  
18 agreement is void and unenforceable as against the public policy of this state to the extent  
19 the provision prohibits a person, including a party, from disclosing an act of childhood  
20 sexual abuse, as defined by subsections (a) and (b) of Code Section 9-3-33.1, or facts  
21 related to an act of childhood sexual abuse to any other person. Nothing in this Code  
22 section may be construed to prohibit a person, including a party, from agreeing to keep  
23 confidential any other provision of a settlement agreement, including the amount or  
24 payment terms of a settlement.

25 (b) Subject to subsection (c) of this Code section, the change in law made by this Code  
26 section applies to an agreement entered into before, on, or after the effective date of this  
27 Code section.

28 (c) A person, including a party, may not enforce or attempt to enforce an agreement or a  
29 provision of an agreement that prevents disclosure of an act of childhood sexual abuse or  
30 facts related to an act of childhood sexual abuse to any other person unless the person  
31 obtains a declaratory judgment that is final and not subject to appeal and declares that the  
32 agreement or provision is enforceable. Reserved."

33 **SECTION 3.**

34 This Act shall become effective upon its approval by the Governor or upon its becoming law  
35 without such approval.

36 **SECTION 4.**

37 All laws and parts of laws in conflict with this Act are repealed.