

H.R.19

IN THE HOUSE OF REPRESENTATIVES

December 22nd, 2022

Mr. Stephnes (for himself, Mr. Jimmy) introduced the following bill;

A BILL

To end Non-Disclosure Agreements which limit a victim's ability to speak on workplace sexual misconduct.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

§ 1. SHORT TITLE

1. Short Title.— This Act may be cited as the “Stop Nondisclosure of Workplace Sexual Misconduct Act”.

§ 2. DEFINITIONS

1. SEXUAL MISCONDUCT.— The term “sexual misconduct” means criminal or disorderly conduct that is sexual in nature, including sexual harassment, sexual assault, rape, and deliberate and malicious misgendering.
2. NDA.— The term “NDA” means a Non-Disclosure Agreement, a contract or a clause in a contract which legally prevents a party of the contract from disclosing or discussing conduct or experiences.
3. PREDISPUTE NDA.— The term “predispute NDA” refers to a Non-Disclosure Agreement signed before any alleged conduct or dispute occurs.

§ 3. END OF RECOGNITION OF SEXUAL MISCONDUCT NDAs IN FEDERAL COURTS

1. IN GENERAL.— The application of NDAs related to issues of sexual misconduct before misconduct occurs shall no longer be recognized in federal courts.
 - a. No section of any predispute NDA which would restrict the ability of an employee or customer of a business from disclosing sexual misconduct committed upon them: on the property of the business; by an employee of the business; or with the knowledge of the business, from pursuing legal settlements or charges against the perpetrator of the misconduct, or from pressing charges against the business itself, or from speaking publicly about their experience with the misconduct, shall be judicially enforceable in any federal court of the United States.
 - b. No provision of this Act shall prevent an employer or business from protecting the secrecy of trade secrets, proprietary information, or sensitive information irrelevant to the dispute.

§ 4. ENACTMENT

1. The provisions of this Act shall go into effect immediately upon passage into law, and shall apply only to disputes which arise after enactment.