S-3141.4

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**SENATE BILL 6068**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senators Frockt, Pedersen, Palumbo, Conway, Saldaña, Kuderer, and Mullet

AN ACT Relating to the applicability of nondisclosure agreements in civil actions for sexual harassment or assault; and adding a new section to chapter 4.24 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 4.24 RCW to read as follows:

In any civil action relating to sexual harassment or assault, a nondisclosure policy or agreement that purports to limit the ability of any person to produce evidence regarding past instances of sexual harassment or assault by a party to the civil action does not affect discovery or the availability of witness testimony relating to that civil action. Any provision of a nondisclosure policy or agreement that would limit, prevent, or punish such disclosure is contrary to public policy and unenforceable. However, the court shall enter appropriate orders to ensure that the identity of any person who is or is alleged to be a victim of sexual harassment or assault is not made public as a result of a disclosure made under this section, unless such person consents.

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