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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

Prefiled 01/04/18. Read first time 01/08/18. Referred to Committee on Law & Justice.

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

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW  
6 to read as follows:

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

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