

2018 SESSION

LEGISLATION NOT PREPARED BY DLS  
INTRODUCED

18105550D

HOUSE BILL NO. 1561

Offered January 19, 2018

A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 11 an article numbered 4.6, relating to the indemnification provision in settlement agreements declared void and waiver of sexual harassment claim.

Patrons—Delaney, Bourne, Boysko, Gooditis, Krizek, Lopez, Plum and Simon

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 11-4.6 as follows:

§ 11-4.6: Certain indemnification provisions in settlement agreements declared void; waiver of sexual harassment claim.

Any provision contained in any contract or agreement by which a party waives a claim of sexual harassment or sexual assault as defined in 18.2-61, 18.2-67.1, 18.2-67.3, or 18.2-67.4, or agrees to a non-disclosure of the aforesaid claim or claims, against another is unconscionable and against the public policy, and shall be void and unenforceable unless the waiver is in writing executed after consultation with, and upon approval of, counsel for the party waiving the claim, or approved by a court of competent jurisdiction.

This subsection shall, in no way, limit any other grounds that exist at law or in equity for the unenforceability of any such contract or agreement or any provision of any such contract or agreement.

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