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HOUSE BILL NO. 1820**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee for Courts of Justice
on January 25, 2019)

(Patron Prior to Substitute—Delegate Delaney)

A BILL to amend the Code of Virginia by adding a section numbered 40.1-28.01, relating to provisions of a nondisclosure or confidentiality agreement; sexual assault; condition of employment.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 40.1-28.01 as follows:

§ 40.1-28.01. Nondisclosure or confidentiality agreement; provisions regarding sexual assault; condition of employment.

A. No employer shall require an employee or a prospective employee to execute or renew any provision in a nondisclosure or confidentiality agreement that has the purpose or effect of concealing the details relating to a claim of sexual assault pursuant to § 18.2-61, 18.2-67.1, 18.2-67.3, or 18.2-67.4 as a condition of employment. Any such provision is against public policy and is void and unenforceable.

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