

SESSION OF 2026

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2688

As Amended by House Committee on Judiciary

Brief*

HB 2688, as amended, would create “Trey’s Law,” which would declare that any nondisclosure agreement (NDA) shall not be judicially enforceable in a legal action involving allegations or claims of childhood sexual abuse or human trafficking and such NDA void as contrary to the public policy of Kansas.

The bill would also provide that identifying information concerning a victim of childhood sexual abuse or human trafficking would be deemed and maintained as confidential.

The bill’s provisions would apply to nondisclosure agreements entered into before, on, or after the effective date of the bill.

Background

The bill was introduced by Representative Bohi and three other representatives.

House Committee on Judiciary

In the House Committee hearing, **proponent** testimony was provided by representatives of Children’s Justice Campaign and No More Victims and four private citizens. The proponents stated that the use of NDAs in child sexual abuse and human trafficking cases has prevented valuable

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

witnesses from testifying and has limited the recovery options for victims. [Note: The bill would be named in memory of a victim of child sexual abuse whose civil settlement was tied to a NDA.]

Written-only proponent testimony was provided by a representative of O'Connell Children's Shelter and 18 private citizens.

No other testimony was provided.

The Committee amended the bill to:

- Deem and maintain identifying information concerning a victim of childhood sexual abuse or human trafficking as confidential;
- Provide that an NDA involving a victim of childhood sexual abuse or human trafficking is contrary to public policy;
- Remove provisions that would have limited the bill's application to parties to a lawsuit; and
- Remove provisions that would have allowed a party to obtain a final non-appealable declaratory judgment that allows for enforcement of a NDA for such agreements entered into before July 1, 2026.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of Judicial Administration indicates enactment of the bill would have a negligible fiscal effect that could be absorbed within existing resources. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Nondisclosure agreement; childhood sexual abuse; human trafficking