



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5749

Introduced 4/22/2026, by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

New Act

Provides that the Act may be referred to as Trey's Law. Creates the Invalidity of Certain Nondisclosure Clauses Act. Provides that a nondisclosure clause in a settlement agreement is void and unenforceable as against the public policy of this State to the extent that the nondisclosure clause prohibits an individual from disclosing to any other individual or entity or reporting to law enforcement an act of sexual abuse or facts related to an act of sexual abuse that was committed or allegedly committed against the individual before the individual attained 18 years of age. Provides that nothing in the Act may be construed to prohibit an individual from agreeing to keep confidential any other provision of a settlement agreement, including the amount or payment terms of a settlement. Applies to any settlement agreement entered into before, on, or after the effective date of this Act.

LRB104 21486 JRC 36772 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title; references to Act.

5 (a) This Act may be cited as the Invalidity of Certain
6 Nondisclosure Clauses Act.

7 (b) This Act may be referred to as Trey's Law.

8 Section 5. Findings. The General Assembly finds that the
9 use of nondisclosure clauses in settlement agreements that
10 prevent survivors of childhood sexual abuse from reporting it
11 or discussing it may perpetuate further abuse, suppress
12 evidence in pending investigations, and traumatize survivors.
13 These clauses are against public policy of this State.

14 Section 10. Definitions. As used in this Act:

15 "Nondisclosure clause" means a provision in a settlement
16 agreement that prohibits one or more parties to the settlement
17 agreement from disclosing conduct or information covered by
18 the terms and conditions of the contract or agreement.

19 "Settlement agreement" means an agreement or contract
20 entered into between an individual and another individual or
21 entity to resolve a dispute or legal claim that arose or
22 accrued before the settlement agreement was executed.

1 "Sexual abuse" means conduct that constitutes or allegedly
2 constitutes any of the following offenses under the Criminal
3 Code of 2012 or an offense under the Criminal Code of 2012 or
4 the Criminal Code of 1961 that is the same or substantially the
5 same as any of the following offenses:

6 (1) criminal sexual assault under Section 11-1.20;

7 (2) aggravated criminal sexual assault under Section
8 11-1.30;

9 (3) predatory criminal sexual assault of a child under
10 Section 11-1.40;

11 (4) criminal sexual abuse under Section 1.50;

12 (5) aggravated criminal sexual abuse under Section
13 11-1.60;

14 (6) promoting commercial sexual exploitation of a child
15 under Section 11-14.4; or

16 (7) public indecency under Section 11-30.

17 Section 15. Unenforceable provisions. A nondisclosure
18 clause in a settlement agreement is void and unenforceable as
19 against the public policy of this State to the extent that the
20 nondisclosure clause prohibits an individual from disclosing
21 to any other individual or entity or reporting to law
22 enforcement an act of sexual abuse or facts related to an act
23 of sexual abuse that was committed or allegedly committed
24 against the individual before the individual attained 18 years
25 of age. Nothing in this Section may be construed to prohibit an

1 individual from agreeing to keep confidential any other
2 provision of a settlement agreement, including the amount or
3 payment terms of a settlement.

4 Section 20. Application. This Act applies to any
5 settlement agreement entered into before, on, or after the
6 effective date of this Act.