

HOUSE BILL No. 2696

By Representative Whipple

2-7

1 AN ACT concerning employment; relating to non-disclosure agreements;
2 allegations of sexual harassment.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) It shall be the public policy of this state that any non-
6 disclosure agreement or any agreement governing post-employment
7 benefits or other matters pertaining to the resignation or termination of an
8 employee or the employee's post-employment activities entered into by the
9 employee and the employee's employer shall not impose any damages,
10 penalties or loss of benefits against the employee for, or otherwise
11 prohibit, communications by the employee regarding alleged sexual abuse
12 or sexual harassment committed against the employee by another
13 employee or officer of the employer, or an employee or officer of any
14 other party to the agreement or by any other person, whether a party or not
15 to the agreement, who is covered by the terms of the agreement.

16 (b) Any term or provision of a non-disclosure agreement or any
17 agreement governing post-employment benefits or other matters pertaining
18 to the resignation or termination of an employee or the employee's post-
19 employment activities entered into by the employee and the employee's
20 employer purporting to restrict or limit in any way communications by the
21 employee identified in subsection (a), or to impose damages, penalties or
22 loss of benefits for those communications, shall be void and
23 unenforceable.

24 (c) For the purposes of this section:

25 (1) "Employee" means any employee of any private or public
26 employer; and

27 (2) "communication" means verbal or written communications with
28 any other person or persons regarding the alleged sexual abuse or sexual
29 harassment.

30 Sec. 2. This act shall take effect and be in force from and after its
31 publication in the statute book.