

**HOUSE BILL No. 2324**

By Representatives Whipple and Holscher

2-13

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.