

2024 Regular Session

HOUSE BILL NO. 161

BY REPRESENTATIVE BAYHAM

CONTRACTS: Provides relative to nondisclosure agreements

1 AN ACT

2 To enact R.S. 9:2717.3, relative to nondisclosure agreements; to provide for the applicability
3 of nondisclosure agreements; to provide for definitions; to provide for nondisclosure
4 agreements under certain circumstances; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:2717.3 is hereby enacted to read as follows:

7 §2717.3. Nondisclosure agreement; hostile work environment; sexual harassment

8 A. For purposes of this Section:

9 (1) "Hostile work environment" means conditions where harassment rises
10 to the level that it alters the ability of an employee to perform the employee's duties.

11 (2) "Sexual harassment" means unwelcome sexual advances, requests for
12 sexual favors, and other verbal, physical, or inappropriate conduct of a sexual nature
13 when the conduct explicitly or implicitly affects an individual's employment,
14 unreasonably interferes with an individual's work performance, or creates an
15 intimidating or offensive work environment.

16 B. Notwithstanding any other law to the contrary, a nondisclosure agreement
17 required by an employer shall not be judicially enforceable in a dispute involving
18 workplace sexual harassment or a hostile work environment.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 161 Original

2024 Regular Session

Bayham

Abstract: Provides that a nondisclosure agreement does not apply in sexual harassment cases or in a hostile work environment.

Proposed law defines "hostile work environment".

Proposed law defines "sexual harassment".

Proposed law provides that nondisclosure agreements are not enforceable in sexual harassment cases or a hostile work environment.

(Adds R.S. 9:2717.3)