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SENATE BILL NO. 406

Offered January 14, 2026

A BILL to direct the Virginia State Bar to convene a work group to study the use of nondisclosure or confidentiality provisions in certain settlement agreements; report.

Patron—Boysko

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Virginia State Bar shall convene a work group to study the use of nondisclosure or confidentiality provisions or agreements pursuant to or contained in settlement agreements reached in civil actions for personal injury arising from an act that would constitute criminal sexual assault, commercial sex trafficking, or other sexual offense that occurred during the infancy or incapacity of the injured person in violation of law. The work group shall be composed of representatives from the Virginia Trial Lawyers Association; the Rape, Abuse and Incest National Network (RAINN); and any other relevant stakeholders, including organizations that support victims of childhood sexual abuse or human trafficking, survivors of childhood sexual abuse or human trafficking, and attorneys or other legal advocates with experience representing or working with such victims or survivors. The work group shall consider and evaluate the impacts of the use of such nondisclosure or confidentiality provisions or agreements on both the individual victims and on public policy and whether such provisions or agreements should be enforceable in the Commonwealth. The work group shall report its findings and recommendations to the Chairs of the House and Senate Committees for Courts of Justice by November 1, 2026.*

INTRODUCED

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