

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

Senate Bill 941

By Senator Woelfel

[Introduced February 13, 2026; referred
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §55-7-33, relating to agreements concerning sexual abuse; setting out
3 legislative findings; defining term; providing that certain agreements prohibiting the
4 disclosure of information related to acts of sexual abuse are void and unenforceable; and
5 specifying applicability of prohibitions.

Be it enacted by the Legislature of West Virginia:

ARTICLE 7. ACTIONS FOR INJURIES.

§55-7-33. Enforceability of agreements relating to sexual abuse.

1 (a) The Legislature finds and declares as follows:

2 (1) Sexual abuse causes significant and lasting harm to individuals and to society as a
3 whole.

4 (2) Sexual abuse survivors often experience long-term physical, psychological, and
5 emotional trauma.

6 (3) The State of West Virginia has a compelling interest in preventing sexual abuse,
7 supporting victims, and ensuring that the law does not shield perpetrators or impede public safety.

8 (4) Any agreement that prohibits an individual or entity from disclosing an act of sexual
9 abuse or facts related to an act of sexual abuse is against the public policy of this state. Therefore,
10 the Legislature finds it is appropriate to hold such agreements void and unenforceable so as to
11 protect survivors' rights to speak freely and to maintain privacy and confidentiality regarding their
12 identities, experiences, and trauma.

13 (b) For the purposes of this section, "sexual abuse" means any conduct that would
14 constitute a violation of any of the offenses defined in §61-8B-1 et seq. of this code, regardless of
15 whether the conduct has led to a criminal charge, conviction, adjudication, or sentence.

16 (c) Any provision of a nondisclosure agreement, confidentiality agreement, employment
17 agreement, settlement agreement, or other type of contract or agreement that prohibits an
18 individual or entity, whether a party to the agreement or otherwise, from disclosing an act of sexual

19 abuse or facts or information related to an act of sexual abuse to any other individual or entity is
20 void and unenforceable as against the public policy of this state.

21 (d) Applicability. –

22 (1) The provisions of subsection (c) of this section shall apply to agreements entered into
23 before, on, or after the effective date of this section.

24 (2) Nothing in this section prohibits the enforcement of a provision in a settlement
25 agreement or other type of contract or agreement that makes confidential:

26 (A) The amount of compensation or other consideration paid to resolve a claim; or

27 (B) Any personal identifying information of a victim of sexual abuse.

NOTE: The purpose of this bill is to make unenforceable certain agreements prohibiting the disclosure of information related to acts of sexual abuse.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.