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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**H.B. 723**  
**136<sup>th</sup> General Assembly**

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Reps. Klopfenstein and M. Miller

Kendal Harris, LSC Fellow

### SUMMARY

- Prohibits agreements and employment contracts that limit a party's ability to disclose an act or suspected act of sexual abuse of a child.
- Declares provisions of such agreements void and unenforceable as against public policy.
- Makes the prohibition against such agreements prevail over conflicting provisions of public employee collective bargaining agreements.

### DETAILED ANALYSIS

#### Prohibition on certain contracts

The bill prohibits a party from entering into an agreement or employment contract on or after the bill's effective date that does either of the following:

- Restricts or prohibits a party from notifying state or local law enforcement, or a state or federal agency, of an act or suspected act of sexual abuse of a child;
- Restricts or prohibits a party from disclosing facts surrounding an act or suspected act of sexual abuse of a child, including the identity of the alleged offender.<sup>1</sup>

"Sexual abuse of a child" means any of the following acts or conduct where the victim is under 18 years old, regardless of whether any person has been arrested, charged, indicted for, or convicted of committing the act or conduct:

- Sexual assault;
- Compelling prostitution;

<sup>1</sup> R.C. 4113.25(B).

- Trafficking in persons; and
- Endangering children.<sup>2</sup>

Provisions of an agreement or employment contract that violate the bill are void and unenforceable as against public policy.<sup>3</sup>

The bill's prohibition prevails over any conflicting provisions of a collective bargaining agreement entered into between a public employer and the public employer's employees.<sup>4</sup>

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## HISTORY

| Action     | Date     |
|------------|----------|
| Introduced | 03-03-26 |

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<sup>2</sup> R.C. 4113.25(A), by reference to R.C. 2907.02 to 2907.09, 2907.21, 2919.22, and 2905.32, not in the bill.

<sup>3</sup> R.C. 4113.25(C).

<sup>4</sup> R.C. 4117.10.