

HB1016/123928/1

BY: Government, Labor, and Elections Committee

AMENDMENTS TO HOUSE BILL 1016
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Pruski**” and substitute “**Delegates Pruski, Lehman, Ruth, Stewart, and Terrasa**”; in line 3, after “**Employer**” insert “**Workforce**”; in the same line, after “**Relocation**” insert “**and Out-of-State Employers**”; in line 7, after “employees” insert “**outside the State**”; and in the same line, after “or” insert “**have its**”.

AMENDMENT NO. 2

On page 1, in line 19, after “(1)” insert “**(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(II) “ENFORCEMENT DATE” MEANS THE EARLIEST DATE ON WHICH AN EMPLOYER SEEKING TO ENFORCE A NONCOMPETE OR CONFLICT OF INTEREST PROVISION IN AN EMPLOYMENT CONTRACT OR A SIMILAR DOCUMENT OR AGREEMENT CONCERNING AN EMPLOYEE:

1. FILES AN ACTION OR OTHERWISE SEEKS JUDICIAL ENFORCEMENT OF THE PROVISION;

2. INITIATES ARBITRATION OR ANOTHER FORM OF FORMAL DISPUTE RESOLUTION TO ENFORCE THE PROVISION; OR

3. DEMANDS IN WRITING THAT THE EMPLOYEE COMPLY WITH THE PROVISION.

(III) “PRINCIPAL PLACE OF BUSINESS” MEANS THE SINGLE LOCATION FROM WHICH THE OFFICERS OF THE EMPLOYER DIRECT, CONTROL, AND COORDINATE THE ACTIVITIES OF THE EMPLOYER.

(2)”.

On page 2, in line 9, strike “AT ANY TIME DURING” and substitute “**ON THE FIRST DAY OF**”; in lines 10 and 11, strike “ARE LOCATED IN THE STATE” and substitute “**REPORT TO A PRIMARY WORK SITE LOCATED IN THE STATE OR PERFORM WORK REMOTELY FROM WITHIN THE STATE**”; strike beginning with “AT” in line 12 down through “TO” in line 13 and substitute “**ON THE ENFORCEMENT DATE, DOES NOT**”; in line 14, after “EMPLOYEES” insert “**REPORT TO A PRIMARY WORK SITE LOCATED IN THE STATE OR PERFORM WORK REMOTELY FROM WITHIN THE STATE,**”; in the same line, after “OR” insert “**DOES NOT HAVE**”; and in lines 20 and 23, strike “(2)” and “(3)”, respectively, and substitute “**(3)**” and “**(4)**”, respectively.