

2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2557/1
GMM:jld:jf

ASSEMBLY AMENDMENT 22,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

March 14, 2002 – Offered by Representative SCHNEIDER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 157, line 22: after that line insert:

3 “**SECTION 274b.** 103.465 of the statutes is renumbered 103.465 (2) and
4 amended to read:

5 103.465 (2) COVENANTS NOT TO COMPETE DURING EMPLOYMENT. A covenant by an
6 assistant, servant, or agent not to compete with his or her employer or principal
7 during the term of the employment or agency, ~~or after the termination of that~~
8 ~~employment or agency,~~ within a specified territory and during a specified time is
9 lawful and enforceable only if the restrictions imposed are reasonably necessary for
10 the protection of the employer or principal. Any covenant, ~~described in this~~
11 ~~subsection, imposing not to compete with an employer or principal during the term~~
12 of the employment or agency that imposes an unreasonable restraint of trade is

1 illegal, void, and unenforceable even as to any part of the covenant or performance
2 that would be a reasonable restraint of trade.

3 **SECTION 274bm.** 103.465 (1) of the statutes is created to read:

4 103.465 (1) COVENANTS NOT TO COMPETE AFTER TERMINATION OF EMPLOYMENT. A
5 covenant by an assistant, servant, or agent not to compete with his or her employer
6 or principal after the termination of the employment or agency imposes an
7 unreasonable restraint of trade and is illegal, void, and unenforceable even as to any
8 part of the covenant or performance that would be a reasonable restraint of trade.”.

9 **2.** Page 438, line 8: after that line insert:

10 “(3e) COVENANTS NOT TO COMPETE AFTER TERMINATION OF EMPLOYMENT. The
11 renumbering and amendment of section 103.465 of the statutes and the creation of
12 section 103.465 (1) of the statutes first apply to an assistant, servant, or agent who,
13 on the day before the effective date of this subsection, is bound by a covenant not to
14 compete with his or her employer or principal after the termination of the
15 employment or agency on the day on which the covenant expires or is extended,
16 modified, or renewed, whichever occurs first.”.

17 (END)