



General Assembly

Substitute Bill No. 6989

January Session, 2007

* _____HB06989LABJUD031407_____*

AN ACT CONCERNING NONCOMPETE AGREEMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) No employer may
2 require an employee to enter into an agreement prohibiting the
3 employee from engaging in the same or a similar job, at the same
4 location at which the employer employs the employee, for another
5 employer or as a self-employed person, unless the employer proves
6 that the employee has obtained trade secrets, as defined in subsection
7 (d) of section 35-51 of the general statutes, of the employer.

8 (b) (1) Any person who is aggrieved by a violation of this section
9 may bring a civil action in the superior court to recover damages and
10 for such injunctive and equitable relief as the court deems appropriate.

11 (2) The Labor Commissioner may request the Attorney General to
12 bring an action in the Superior Court for the judicial district of
13 Hartford for restitution for any violation of this section and for such
14 injunctive or equitable relief as the court deems appropriate.

15 (c) The provisions of this section shall apply to agreements in effect
16 on or entered into on or after October 1, 2007.

17 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) As used in this section:

18 (1) "Broadcast industry employer" means television stations and

19 networks, radio stations and networks and cable stations and
20 networks, including any associated broadcast entity; and

21 (2) "Broadcast employee" means any employee of a broadcasting
22 industry employer, excluding sales and management employees.

23 (b) No broadcasting industry employer shall require in any
24 employment contract that a broadcast employee or prospective
25 broadcast employee:

26 (1) Refrain from obtaining employment in a specified geographical
27 area for a specified period of time after termination of employment
28 with that broadcasting industry employer; or

29 (2) Disclose the terms of an offer of employment from any other
30 broadcasting industry employer following the expiration of the term of
31 the employment contract.

32 (c) Any person who is aggrieved by a violation of this section may
33 bring a civil action in the Superior Court to recover damages, together
34 with court costs and reasonable attorney's fees.

35 (d) The provisions of this section shall apply to employment
36 contracts in effect on or entered into on or after October 1, 2007.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	New section
Sec. 2	October 1, 2007	New section

LAB *Joint Favorable Subst. C/R*

JUD