



General Assembly

January Session, 2007

**Amendment**

LCO No. 8764

\*HB0698908764HDO\*

Offered by:  
REP. RYAN, 139<sup>th</sup> Dist.

To: Subst. House Bill No. 6989      File No. 643      Cal. No. 518

**"AN ACT CONCERNING NONCOMPETE AGREEMENTS."**

1      Strike everything after the enacting clause and substitute the  
2      following in lieu thereof:

3      "Section 1. (NEW) (*Effective October 1, 2007*) (a) No employer may  
4      require any person employed in the classification 339032 of the  
5      standard occupational classification system of the Bureau of Labor  
6      Statistics of the United States Department of Labor to enter into an  
7      agreement prohibiting such person from engaging in the same or a  
8      similar job, at the same location at which the employer employs such  
9      person, for another employer or as a self-employed person, unless the  
10     employer proves that such person has obtained trade secrets, as  
11     defined in subsection (d) of section 35-51 of the general statutes, of the  
12     employer.

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

16 (2) The Labor Commissioner may request the Attorney General to  
17 bring an action in the Superior Court for the judicial district of  
18 Hartford for restitution on behalf of any person injured by any  
19 violation of this section and for such injunctive or equitable relief as  
20 the court deems appropriate.

21 (c) The provisions of this section shall apply to agreements entered  
22 into, renewed or extended on or after October 1, 2007.

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

24 (1) "Associated broadcast entities" means entities that provide  
25 reporting services to radio or television stations, including without  
26 limitation, subcontractors that provide weather, sports, traffic and  
27 other reports for broadcast or cablecast;

28 (2) "Broadcast employee" means any employee of a broadcast  
29 industry employer, except those employees whose services primarily  
30 include sales or management functions;

31 (3) "Broadcast industry employer" means the owner or operator of  
32 one or more broadcast television or radio stations, television or radio  
33 networks, cable stations or cable networks, including any associated  
34 broadcast entity;

35 (4) "Broadcast television or radio station" means an entity that is  
36 owned or operated either by holding a Federal Communications  
37 Commission television or radio license for the station, or by operating  
38 a station through a local service, sales, marketing or outsourcing  
39 agreement;

40 (5) "Cable network" means an entity that distributes programming  
41 to two or more local cable systems;

42 (6) "Cable station" means an entity that produces or transmits  
43 programming to one or more local cable systems;

44 (7) "Local cable system" means a cable system, as defined in 47 USC

45 522, as from time to time amended, operating in the state; and

46 (8) "Television or radio network" means an entity that broadcasts  
47 programming over two or more broadcast television or radio stations.

48 (b) No broadcast industry employer employment contract for the  
49 services of a broadcast employee may contain a provision requiring  
50 that such broadcast employee:

51 (1) Refrain from obtaining employment in a specified geographical  
52 area for a specified period of time after termination of employment  
53 with that broadcast industry employer;

54 (2) Disclose the terms or conditions of an offer of employment, or  
55 the existence of any such offer, from any other broadcast industry  
56 employer; or

57 (3) Agree to enter into a subsequent employment contract with the  
58 broadcast industry employer, or extend or renew the existing  
59 employment contract, upon the same terms and conditions offered by  
60 a prospective employer.

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

64 (d) The provisions of this section shall apply to employment  
65 contracts entered into, renewed or extended on or after July 1, 2007."

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