



General Assembly

Substitute Bill No. 6658

January Session, 2013



AN ACT CONCERNING EMPLOYER USE OF NONCOMPETE AGREEMENTS.

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

1 Section 1. (NEW) (*Effective October 1, 2013*) (a) As used in this
2 section:

3 (1) "Employee" means any person engaged in service to an employer
4 in the business of the employer; and

5 (2) "Employer" means a person engaged in business who has
6 employees, including the state and any political subdivision thereof.

7 (b) Except as provided in section 31-50a or 31-50b of the general
8 statutes, an employer may obtain from an employee an agreement or
9 covenant which protects an employer's reasonable competitive
10 business interests and expressly prohibits an employee from engaging
11 in employment or a line of business after termination of employment if
12 (1) the agreement or covenant is reasonable as to its duration,
13 geographical area, and the type of employment or line of business, and
14 (2) prior to entering into the agreement or covenant, the employer
15 provides the employee a reasonable period of time, of not less than ten
16 business days, to seek legal advice relating to the terms of the
17 agreement or covenant.

18 (c) Any person who is aggrieved by a violation of this section may

19 bring a civil action in the Superior Court to recover damages, together
20 with court costs and reasonable attorney's fees. To the extent any such
21 agreement or covenant is found to be unreasonable in any respect, a
22 court may limit the agreement or covenant to render it reasonable in
23 light of the circumstances in which it was entered into and specifically
24 enforce the agreement or covenant as limited.

25 (d) The provisions of this section shall apply to agreements or
26 covenants entered into, renewed or extended on or after October 1,
27 2013.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	New section

Statement of Legislative Commissioners:

In section 1(c), "a court may limit the agreement to render it reasonable in light of the circumstances in which it was made and specifically enforce the agreement as limited" was changed to "a court may limit the agreement or covenant to render it reasonable in light of the circumstances in which it was entered into and specifically enforce the agreement or covenant as limited" for consistency.

JUD *Joint Favorable Subst. -LCO*