
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yoursheka George.

SB 164 Original	DIGEST 2021 Regular Session	Henry
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Present law provides that except as provided by law, every contract or agreement by which anyone is restrained from exercising a lawful profession, trade, or business of any kind shall be null and void. Provides that every contract or agreement that meets the exceptions provided by law shall be enforceable.

Present law provides that the provisions of an employment contract or agreement that includes a choice of forum clause or choice of law clause, or attempts to enforce such a clause in any civil or administrative action involving an employee is null and void unless the clause is expressly, knowingly, and voluntarily agreed to and ratified by the employee after the occurrence of the incident, which is the subject of the civil or administrative action.

Present law provides that upon or in anticipation of the dissolution of a partnership, the partnership and the partners may agree that none of the partners will carry on a similar business within a specific area and for a specified period of time.

Present law provides that a franchise may enter into a contract that requires the franchisee to refrain from competing with certain persons or engaging in any other business similar to the franchise for a specified period of time.

Present law allows a corporation, partnership, and a limited liability company to agree that its shareholders, partners, or members will refrain from carrying on or engaging in a business similar to that of the their business within a specific area and for a specified period of time after the date the shareholder, partner, or member's relationship with the business entity ends.

Proposed law retains present law but makes technical changes.

Effective August 1, 2021.

(Amends R.S. 23:921(A)(1), (C), (H), (J) and (K))