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

DIGEST 2022 Regular Session

Fields

<u>Present law</u> prohibits restraint of business and restraint on forum, and provides definitions and exemptions relative to present law.

<u>Proposed law</u> deletes <u>present law</u> in favor of <u>proposed law</u> makes employment contracts or agreements that restrain anyone from exercising a lawful profession, trade, or business of any kind unenforceable.

<u>Proposed law</u> makes employment contracts or agreements that include a choice of form or choice of law clause in any civil or administrative action unenforceable unless the employee expressly, knowingly, and voluntarily agrees to and ratifies the clause after the occurrence of the incident that is the subject of the civil or administrative action.

Proposed law defines "employer", "employee", and "protectable interest".

<u>Proposed law</u> provides that noncompetition agreements between employers and employees are unenforceable unless the employer notifies the employee of the noncompetition agreement at least 2 weeks before the employee begins his employment.

Proposed law defines "protectable interest" and provides examples.

<u>Proposed law</u> provides that a noncompetition agreement that exceeds 12 months from the date of the employee's termination is unenforceable.

Effective August 1, 2022.

SB 238 Original

(Adds R.S. 23:920; repeals R.S. 23:921)