

HOUSE BILL 1440

K3
HB 946/15 – ECM

6lr0488

By: **Delegates Carr and Hornberger**

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Labor and Employment – Noncompete and Conflict of Interest Clauses**

3 FOR the purpose of providing that certain noncompete and conflict of interest provisions
4 are null and void as being against the public policy of the State; providing for the
5 application of this Act; and generally relating to noncompete and conflict of interest
6 clauses in employment.

7 BY adding to

8 Article – Labor and Employment

9 Section 3–714

10 Annotated Code of Maryland

11 (2008 Replacement Volume and 2015 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Labor and Employment**

15 **3–714.**

16 **(A) THIS SECTION APPLIES:**

17 **(1) TO AN EMPLOYMENT CONTRACT OR A SIMILAR DOCUMENT OR**
18 **AGREEMENT CONCERNING AN EMPLOYEE WHO EARNS EQUAL TO OR LESS THAN:**

19 **(I) \$15 PER HOUR; OR**

20 **(II) \$31,200 ANNUALLY; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) WHETHER OR NOT THE EMPLOYER AND EMPLOYEE ENTERED INTO**
2 **THE EMPLOYMENT CONTRACT OR SIMILAR DOCUMENT OR AGREEMENT IN THE**
3 **STATE.**

4 **(B) A NONCOMPETE OR CONFLICT OF INTEREST PROVISION IN AN**
5 **EMPLOYMENT CONTRACT OR A SIMILAR DOCUMENT OR AGREEMENT THAT**
6 **RESTRICTS THE ABILITY OF AN EMPLOYEE TO ENTER INTO EMPLOYMENT WITH A**
7 **NEW EMPLOYER OR TO BECOME SELF-EMPLOYED IN THE SAME OR SIMILAR**
8 **BUSINESS OR TRADE SHALL BE NULL AND VOID AS BEING AGAINST THE PUBLIC**
9 **POLICY OF THE STATE.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2016.