

BY: Delegate O'Donnell

AMENDMENTS TO HOUSE BILL NO. 234, AS AMENDED

AMENDMENT NO. 1

In the Economic Matters Committee Amendments (HB0234/473097/1), in line 3 of Amendment No. 1, strike "certain provisions in"; and strike beginning with "that" in line 4 down through "unreasonable" in line 5 and substitute "may contain a certain noncompete provision; providing that a certain noncompete provision is not enforceable under certain circumstances; providing that a certain noncompete provision is not enforceable for more than a certain period of time; providing for the application of this Act".

AMENDMENT NO. 2

In the Economic Matters Committee Amendments, in Amendment No. 2, strike in their entirety lines 10 through 15, inclusive, and substitute:

"(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A BROADCAST INDUSTRY EMPLOYMENT CONTRACT MAY CONTAIN A NONCOMPETE PROVISION THAT RESTRICTS THE RIGHT OF THE EMPLOYEE TO SEEK OR OBTAIN EMPLOYMENT WITH ANOTHER EMPLOYER THAT IS A LEGAL ENTITY DESCRIBED IN SUBSECTION (A) OF THIS SECTION.

(C) (1) A NONCOMPETE PROVISION IN A BROADCAST INDUSTRY EMPLOYMENT CONTRACT IS NOT ENFORCEABLE IF:

(I) THE EMPLOYEE IS TERMINATED, UNLESS THE EMPLOYEE IS TERMINATED FOR CAUSE; OR

(II) THE EMPLOYEE IS SUBSEQUENTLY EMPLOYED OUTSIDE THE EMPLOYER'S LOCAL BROADCAST MARKET.

(2) A NONCOMPETE PROVISION IN A BROADCAST INDUSTRY EMPLOYMENT CONTRACT IS NOT ENFORCEABLE FOR MORE THAN A 12-MONTH PERIOD."