

SENATE BILL NO. 232

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Introduced: 3/15/22

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to employee intellectual property."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 23.10 is amended by adding a new section to article 1 to read:

4 **Sec. 23.10.038. Employee intellectual property.** (a) A person may not require
5 as a condition of employment that an employee assign or offer to assign the
6 employee's rights in an invention that the employee developed entirely on the
7 employee's own time without using the person's equipment, supplies, facilities, or
8 trade secret information unless the invention

9 (1) relates, at the time of conception or reduction to practice of the
10 invention, to the person's business or actual or anticipated research or development; or

11 (2) results from work performed by the employee for the person.

12 (b) A provision in an employment agreement that violates (a) of this section is
13 unenforceable.

14 (c) A provision in an employment agreement that prohibits an employee who
15 resides and works in this state from seeking relief under this section in the courts of

1 this state is unenforceable.

2 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
3 read:

4 **APPLICABILITY.** This Act applies to employment agreements entered into on or
5 after the effective date of this Act.