

A RESOLUTION

24-399

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 1, 2022

To declare the existence of an emergency with respect to the need to amend the Ban on Non-Compete Agreements Amendment Act of 2020 to postpone the applicability of the law to October 1, 2022.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ban on Non-Compete Agreements Applicability Emergency Declaration Resolution of 2022”.

Sec. 2. (a) The Ban on Non-Compete Agreements Amendment Act of 2020, effective March 16, 2021 (D.C. Law 23-209; 68 DCR 3423) (“original law”), will apply on April 1, 2022. The Ban on Non-Compete Agreements Applicability Emergency Amendment Act of 2022 would amend the original law to postpone its applicability date to October 1, 2022.

(b) Bill 24-256, the Non-Compete Conflict of Interest Clarification Amendment Act of 2022, is currently before the Council and will substantially amend the original law. However, Bill 24-256 is not expected to go before the full Council for a vote before April 1, 2022. Thus, if it passes, the amendments to the original law will not be effective until well after April 1, 2022.

(c) Because District government entities charged with implementing the law and businesses expected to comply with the law should have adequate time to prepare before amendments to the original law take effect, the original law’s applicability date should be postponed to October 1, 2022.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Ban on Non-Compete Agreements Applicability Emergency Amendment Act of 2022 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.