

S.B. 46

POST-EMPLOYMENT RESTRICTIONS AMENDMENTS

Senator **Kirk A. Cullimore** proposes the following amendments:

1. *Page 2, Lines 47 through 56:*

- 47 (4) "Legitimate business interest" means an employer's:
48 (a) trade secrets;
49 (b) intellectual property; **or**
 (c) properly designated and protected confidential information or materials.
50 { ~~(c) business plans;~~
51 ~~(d) business processes and practices;~~
52 ~~(e) customers;~~
53 ~~(f) customer lists;~~
54 ~~(g) customer referral sources;~~
55 ~~(h) goodwill; or~~
56 ~~(i) financial and marketing information. }~~

2. *Page 3, Lines 72 through 77:*

- 72 (i) on or after May 10, 2016, [an employer and an employee may not enter into a
73 post-employment restrictive covenant] for a period of more than one year from the day on
74 which the employee is no longer employed by the employer[-]; ~~{or}~~ **and**
75 (ii) on or after May 5, 2021, that:
76 (A) is broader than necessary to protect the legitimate business interests of the
77 employer; or