

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Tipper

1 Amend the Judiciary Committee Report, dated April 6, 2022, page 1,
2 strike lines 3 through 10 and substitute:

3 "Page 3 of the bill, strike lines 3 through 12 and substitute:

4 "(b) THIS SUBSECTION (2) DOES NOT APPLY TO A COVENANT NOT
5 TO COMPETE GOVERNING A PERSON WHO, AT THE TIME THE COVENANT NOT
6 TO COMPETE IS ENTERED INTO AND AT THE TIME IT IS ENFORCED, EARNS AN
7 AMOUNT OF ANNUALIZED CASH COMPENSATION EQUIVALENT TO OR
8 GREATER THAN THE THRESHOLD AMOUNT FOR HIGHLY COMPENSATED
9 WORKERS, IF THE COVENANT NOT TO COMPETE IS FOR THE PROTECTION OF
10 TRADE SECRETS AND IS NO BROADER THAN IS REASONABLY NECESSARY TO
11 PROTECT THE EMPLOYER'S LEGITIMATE INTEREST IN PROTECTING TRADE
12 SECRETS."."

13 Page 1 of the report, strike lines 15 through 25 and substitute:

14 "(I) "ANNUALIZED CASH COMPENSATION" MEANS:

15 (A) THE AMOUNT OF THE GROSS SALARY OR WAGE AMOUNT, THE
16 FEE AMOUNT, OR THE OTHER COMPENSATION AMOUNT FOR THE FULL YEAR,
17 IF THE PERSON WAS EMPLOYED OR ENGAGED FOR A FULL YEAR.

18 (B) THE COMPENSATION THAT THE PERSON WOULD HAVE EARNED,
19 BASED ON THE WORKER'S GROSS SALARY OR WAGE AMOUNT, FEE, OR
20 OTHER COMPENSATION IF THE WORKER WAS NOT EMPLOYED OR ENGAGED
21 FOR A FULL YEAR."."

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