

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB22-1317 be amended as follows:

1 Amend printed bill, page 4, strike line 12 and substitute "PUBLIC, OR  
2 INFORMATION THAT A WORKER OTHERWISE HAS A RIGHT TO DISCLOSE AS  
3 LEGALLY PROTECTED CONDUCT;  
4 (c) A COVENANT FOR THE PURCHASE AND SALE OF A BUSINESS OR  
5 THE ASSETS OF A BUSINESS."

6 Page 5, after line 13 insert:

7 "(d) AN EMPLOYER SATISFIES THE NOTICE REQUIREMENT OF THIS  
8 SUBSECTION (4) WHEN THE NOTICE:  
9 (I) IS PROVIDED WITH A COPY OF THE AGREEMENT CONTAINING THE  
10 COVENANT NOT TO COMPETE;  
11 (II) IDENTIFIES THE AGREEMENT BY NAME AND STATES THAT THE  
12 AGREEMENT CONTAINS A COVENANT NOT TO COMPETE THAT COULD  
13 RESTRICT THE WORKERS' OPTIONS FOR SUBSEQUENT EMPLOYMENT  
14 FOLLOWING THEIR SEPARATION FROM THE EMPLOYER; AND  
15 (III) DIRECTS THE WORKER TO THE SPECIFIC SECTIONS OR  
16 PARAGRAPHS OF THE AGREEMENT THAT CONTAIN THE COVENANT NOT TO  
17 COMPETE."

18 Page 6, strike lines 10 through 27 and substitute:

19 "(6) A COVENANT NOT TO COMPETE THAT APPLIES TO A WORKER  
20 WHO, AT THE TIME OF TERMINATION OF EMPLOYMENT PRIMARILY RESIDED  
21 OR WORKED IN COLORADO, MAY NOT REQUIRE THE WORKER TO  
22 ADJUDICATE THE ENFORCEABILITY OF THE COVENANT OUTSIDE OF  
23 COLORADO. NOTWITHSTANDING ANY CONTRACTUAL PROVISION TO THE  
24 CONTRARY, COLORADO LAW GOVERNS THE ENFORCEABILITY OF A  
25 COVENANT NOT TO COMPETE FOR A WORKER WHO AT THE TIME OF  
26 TERMINATION OF EMPLOYMENT PRIMARILY RESIDED AND WORKED IN  
27 COLORADO."

28 Page 7, line 21, strike "DAMAGES" and substitute "DAMAGES,  
29 REASONABLE COSTS, AND ATTORNEY FEES".

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