

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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