SENATE AMENDMENT NO. ___

Offered by _____ **Of** _____

Amend SS/SCS/Senate **Bill No.** 968 , **Page** 13 , **Section** 431.202 , **Line** 167 ,

2 by inserting after all of said line the following:
3 "431.203. 1. For purposes of this section, "covenant
4 not to compete" means an agreement, understanding, contract,
5 or contractual term in which an employee or prospective
6 employee agrees not to compete against an employer or
7 prospective employer or agrees not to accept any positions
8 with a competitor of an employer or prospective employer
9 following the termination of a business or employment
10 relationship between the employee or prospective employee
11 and the employer or prospective employer. A covenant not to
12 compete may, but need not, contain time-based or geographic
13 limitations.
14 2. Notwithstanding any provision of section 431.202 or
15 any other provision of law to the contrary, a covenant not
16 to compete shall be void and unenforceable to the extent
17 that it applies to an employment arrangement wherein an
18 employee is or would be paid hourly wages."; and
19 Further amend the title and enacting clause accordingly.