

**SENATE AMENDMENT NO. \_\_\_\_\_**

**TO**

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Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SA/ \_\_\_\_\_ SS/House Bill No. 2400, Page 8, Section \_\_\_\_\_, Line 239,

2 by insert after "effect." 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."