

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 22-5-7 IS ADDED TO THE INDIANA CODE AS
- 4 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
- 5 PASSAGE]:
- 6 **Chapter 7. Employment Related Contracts**
- 7 **Sec. 1. This chapter applies to an employment contract entered**
- 8 **into, modified, renewed, or extended after March 14, 2012.**
- 9 **Sec. 2. As used in this chapter, "employee" means an individual**
- 10 **employed by an employer for wages or salary. The term includes**
- 11 **an individual who has received an offer of employment from a**
- 12 **prospective employer.**
- 13 **Sec. 3. As used in this chapter, "employer" means an individual,**
- 14 **corporation, partnership, limited liability company, or any other**
- 15 **legal entity that has at least one (1) employee and is legally doing**
- 16 **business in Indiana.**
- 17 **Sec. 4. As used in this chapter, "non-compete agreement" means**
- 18 **a contractual provision by which an employer attempts to limit an**
- 19 **employee's ability to seek future employment or engage in future**
- 20 **business activity after the employment relationship has terminated.**
- 21 **Sec. 5. An employment contract entered into by an employer**
- 22 **and an employee may not contain a non-compete agreement.**
- 23 **Sec. 6. A non-compete agreement in an employment contract in**

- 1 **violation of section 5 of this chapter is unenforceable and void."**
- 2 Page 1, line 4, delete "Right to Work" and insert "**Labor**
- 3 **Organization Membership**".
- 4 Page 2, delete lines 41 through 42, begin a new paragraph and
- 5 insert:
- 6 "**Sec. 7. A person may not require an individual to become or**
- 7 **remain a member of a labor organization.**
- 8 **Sec. 8. Nothing in this chapter shall be construed to prohibit**
- 9 **collective bargaining agreements that require the payment of**
- 10 **representation fees."**
- 11 Delete page 3.
- 12 Page 4, delete lines 1 through 4.
- 13 Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as printed January 12, 2012.)

Representative Niezgodski