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SENATE BILL NO. 226

Offered January 8, 2014

Prefiled January 3, 2014

A BILL to amend the Code of Virginia by adding a section numbered 11-4.6, relating to enforceability of provisions in employment contracts that are invalid or unenforceable under the laws of the Commonwealth; choice of law.

Patron—Petersen

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 11-4.6 as follows:****§ 11-4.6. Enforceability of certain provisions in employment contracts; choice of law.**

A. No court of the Commonwealth shall enforce any provision of an employment contract, including a covenant not to compete, if the provision is invalid or unenforceable under the laws of Commonwealth.

B. A choice of law or similar agreement of the parties to an employment contract that states that the laws of another state or other jurisdiction shall apply with regard to the interpretation or enforceability of a provision of an employment contract, including a covenant not to compete, is against public policy and is void and unenforceable.

C. The provisions of this section shall not apply to any employment contract entered into prior to July 1, 2014.

INTRODUCED

SB226