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# State of Minnesota

## HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **3009**

02/03/2022

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The bill was read for the first time and referred to the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to employment; prohibiting noncompete agreements for child care
- 1.3 employees; proposing coding for new law in Minnesota Statutes, chapter 181.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. **[181.987] NONCOMPETE AGREEMENTS FOR CHILD CARE**
- 1.6 **EMPLOYEES PROHIBITED.**
- 1.7 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.
- 1.8 (b) "Child care provider" has the meaning given in section 119B.011, subdivision 19.
- 1.9 (c) "Employee" means a person who performs services for compensation for an employer
- 1.10 within this state.
- 1.11 (d) "Employer" means a person or entity located or doing business in this state and
- 1.12 having one or more employees.
- 1.13 (e) "Noncompete agreement" means an agreement between an employer and an employee
- 1.14 that restricts the employee from performing:
- 1.15 (1) work for another child care provider for a specified period of time;
- 1.16 (2) work for another child care provider in a specified geographical area; or
- 1.17 (3) work for another employer that is similar to the employee's work for the child care
- 1.18 provider who is a party to the agreement.
- 1.19 Subd. 2. **Prohibition.** (a) An employer that is a child care provider shall not require an
- 1.20 employee employed by the child care provider to enter into a noncompete agreement.

- 2.1 (b) A noncompete agreement entered into between an employer that is a child care
- 2.2 provider and an employee of the child care provider shall be void and unenforceable.
- 2.3 **EFFECTIVE DATE.** This section is effective August 1, 2022.