

SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION

S.F. No. 2837

(SENATE AUTHORS: TOMASSONI and Bakk)

DATE  
02/03/2022

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OFFICIAL STATUS  
Introduction and first reading  
Referred to Jobs and Economic Growth 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.