

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to ensure the Non-Compete Clarification Amendment Act of 2022, which amends the Ban on Non-Compete Agreements Amendment Act of 2022, is implemented by the latter legislation's applicability date of October 1, 2022.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Non-Compete Clarification Amendment Act Implementation Emergency Declaration Resolution of 2022".

Sec. 2. (a) B24-256, the "Non-Compete Clarification Amendment Act of 2022" (the "Bill") amends the Ban on Non-Compete Agreements Amendment Act of 2020 ("the Law"). Both pieces of legislation specify that they are applicable on October 1, 2022.

(b) The Bill will substantially amend the original law. However, the Bill is not expected to have its second vote before the Council until July 12, 2022. The Bill is not anticipated to complete the requisite Mayoral and Congressional review process before the Law's applicability date.

(c) The amendments contained in the Bill should apply at the same time as the Law. To ensure that, it is necessary to move a version of the Bill on an emergency basis to become effective more immediately and be in place by October 1, 2022. This will provide employers,

33 workers, and the enforcement agency with clarity about which provisions of the law to comply
34 with,

35 Sec. 3. The Council of the District of Columbia determines that the circumstances
36 enumerated in section 2 constitute emergency circumstances making it necessary that the Non-
37 Compete Clarification Amendment Act Applicability Emergency Act of 2022 be adopted after a
38 single reading.

39 Sec. 4. This resolution shall take effect immediately.

DRAFT