

TABLE 1
State-by-state list of key protections from exploitative noncompete and no-poaching agreements

How existing state laws stack up to CAP’s recommendations

State	Laws governing noncompete and no-poaching agreements	Does the state protect low- and middle-wage workers, or any other types of workers?	Does the law explicitly state that franchise no-poaching agreements are illegal?	Does the law include early disclosure requirements?	Does the law include penalties or support agencies to enforce workers' rights?
Alabama	Ala. Code §§ 8-1-190-197	State law limits enforcement among professionals. Courts have found noncompete agreements unenforceable among physical therapists, accountants, medical professionals, and veterinarians.	No	No	No
Alaska	N/A	No	No	No	No
Arizona	ARS § 23-494	Arizona bans noncompete agreements for broadcasters and limits enforcement among physicians.	No	No	No
Arkansas	Ark. Code § 4-75-101	Noncompete agreements are unenforceable for medical professionals.	No	No	No
California	Cal. Code Ch. 1; 16600 - 16607	Noncompete agreements are unenforceable for all workers, including independent contractors.	No	No	No
Colorado	Colo. Rev. Stat. § 8-2-113; SB18-082	Colorado limits enforcement of noncompete agreements to “executive and management personnel and officers” and their staff, as well as limits enforcement among physicians.	No	No	No
Connecticut	Conn. Gen. Stat. § 31-50a; 31-50b; Conn. Public. Act. 351	Connecticut bans noncompete agreements for broadcasters and security guards, as well as limits enforcement for physicians.	No	No	Security guards may recover damages and injunctive relief, and the labor commissioner may request action by the attorney general on their behalf. Broadcast employees can recover damages, along with court costs and attorneys' fees.
Delaware	6 Del. Code § 2707	Noncompete agreements are unenforceable among physicians.	No	No	No
District of Columbia	D.C. Code § 32-572	Noncompete agreements are unenforceable among broadcasters.	No	No	Broadcast employees may bring a civil action to recover damages and attorneys' fees and costs.
Florida	Fla. Stat. Ann. §§ 542.335	No	No	No	No

State	Laws governing noncompete and no-poaching agreements	Does the state protect low- and middle-wage workers, or any other types of workers?	Does the law explicitly state that franchise no-poaching agreements are illegal?	Does the law include early disclosure requirements?	Does the law include penalties or support agencies to enforce workers' rights?
Georgia	Ga. Code §13-8-53	No	No	No	No
Hawaii	Haw. Rev. Stat. § 480-4 (c); §607-14.9	Hawaii bans noncompete agreements and nonsolicit clauses for technology-sector workers.	No	No	Employees may be awarded attorneys' fees and costs if a court finds a noncompete agreement to be overly restrictive.
Idaho	Idaho Code §§ 44-2701-2704	Idaho limits noncompete agreements to "key employees" and "key independent contractors."	No	No	No
Illinois	820 ILCS 90; 820 ILCS 17/10; 30 ILCS 500/50-25	Illinois bans noncompete agreements among workers earning less than \$13 per hour or the federal, state, or local minimum wage and broadcasters. It also limits enforcement of agreements among companies bidding for state contracts and physicians.	No	No	Broadcast employees can recover damages, along with court costs and attorneys' fees.
Indiana	N/A	No	No	No	No
Iowa	N/A	No	No	No	No
Kansas	N/A	Case law offers limited exemptions for accountants.	No	No	No
Kentucky	N/A	No	No	No	No
Louisiana	La. Rev. Stat. Ann. §§ 23:921; La. Rev. Statute 37:1448.1	Louisiana bans noncompete agreements for car salespeople. Noncompete agreements are unenforceable among real estate brokers unless brokers are given three days to rescind the agreement.	No	No	No
Maine	Title 26, Ch. 7, Sec. 599(b)	Noncompete agreements among broadcast industry employees are presumed unreasonable in court.	No	No	No
Maryland	N/A	No	No	No	No

State	Laws governing noncompete and no-poaching agreements	Does the state protect low- and middle-wage workers, or any other types of workers?	Does the law explicitly state that franchise no-poaching agreements are illegal?	Does the law include early disclosure requirements?	Does the law include penalties or support agencies to enforce workers' rights?
Massachusetts	Mass. Gen. Laws c. 149, § 24L; c.112 §12X; c. 112 §74D; c. 112 § 135c; c. 145 s. 186	Noncompete agreements are unenforceable among workers classified as nonexempt under the Fair Labor Standards Act (workers paid on an hourly basis and nonsupervisory salaried workers earning under the current salary threshold of \$23,660 per year), workers under 18 years old, short-term undergraduate and graduate student workers, and workers who were laid off or terminated without cause. In addition, noncompete agreements among physicians, nurses, psychologists, social workers, and broadcasters are unenforceable.	No	Employers must disclose a required noncompete agreement to the worker either before a formal offer of employment or 10 business days before the start of a job.	Broadcast industry employees may be awarded attorneys' fees and costs.
Michigan	Mich. Comp. Laws § 445.774a	No	No	No	No
Minnesota	N/A	No	No	No	No
Mississippi	N/A	No	No	No	No
Missouri	Mo. Stat. Ann. § 431.202	Missouri law provides limited protections for secretaries and clerks.	No	No	No
Montana	Mont. Code Ann. § 28- 2-703	No	No	No	No
Nebraska	N/A	No	No	No	No
Nevada	Nev. Rev. Stat. § 613.195	No	No	No	No
New Hampshire	Sec. 275:70; Sec. 329:31-a	Noncompete agreements are unenforceable among physicians.	No	A noncompete contract must be provided prior to acceptance of a job offer.	No
New Jersey	N/A	New Jersey law provides limited protections for attorneys and psychologists.	No	No	No
New Mexico	NM Stat § 24-11-2 (2015)	Noncompete agreements are unenforceable among some health care practitioners.	No	No	No

State	Laws governing noncompete and no-poaching agreements	Does the state protect low- and middle-wage workers, or any other types of workers?	Does the law explicitly state that franchise no-poaching agreements are illegal?	Does the law include early disclosure requirements?	Does the law include penalties or support agencies to enforce workers' rights?
New York	NY Labor Law §202-k	Noncompete agreements are unenforceable among on-air broadcast employees	No	No	Broadcast industry employees can recover damages, along with court costs and attorneys' fees.
North Carolina	N.C. Gen. Stat. § 75-4	No	No	No	No
North Dakota	N.D. Cent. Code § 9-08-06	Noncompete agreements are unenforceable among all employees and independent contractors.	No	No	No
Ohio	N/A	No	No	No	No
Oklahoma	15 Okl. St. Ann. § 217-219	Noncompete agreements are unenforceable among all employees.	No	No	No
Oregon	Or. Rev. Stat. § 653.295	Noncompete agreements are unenforceable among workers earning less than the median wage for a family of four at the time of termination and among workers who do not perform administrative, executive, or professional work.	No	A noncompete contract must be provided at the time of job offer, at least two weeks prior to the start of employment.	No
Pennsylvania	N/A	No	No	No	No
Rhode Island	R.I. Gen. Laws §5-37-33	Noncompete agreements are unenforceable among physicians.	No	No	No
South Carolina	N/A	No	No	No	No
South Dakota	S.D. Chapter 53-9-11	No	No	No	No
Tennessee	Tenn. Code Ann. § 63-1-148	Tennessee law provides limited protections for physicians.	No	No	No
Texas	Tex. Bus. & Com. Code §§ 15.50 to 15.52	Texas law provides limited protections for physicians.	No	No	If an employer knowingly executes an exceedingly broad noncompete agreement, the court may award the worker the costs incurred for defending the action, including attorneys' fees.
Utah	Utah Code §34-51-101	Utah law provides limited protections for broadcasters.	No	No	Employers who seek to enforce an unenforceable noncompete agreement are liable for damages and the employee's litigation costs.

State	Laws governing noncompete and no-poaching agreements	Does the state protect low- and middle-wage workers, or any other types of workers?	Does the law explicitly state that franchise no-poaching agreements are illegal?	Does the law include early disclosure requirements?	Does the law include penalties or support agencies to enforce workers' rights?
Vermont	Ver. Title 26 Chapter 6	Vermont law bans barbering and cosmetology schools from requiring signature of a noncompete agreement as a condition of training.	No	No	No
Virginia	N/A	No	No	No	No
Washington	Wash. Sec. 49.44.190	Washington law provides limited protections for broadcasters.	No	No	No
West Virginia	N/A	No	No	No	No
Wisconsin	Wis. Stat. Ann. § 103.465	No	No	No	No
Wyoming	N/A	No	No	No	No

Source: A full list of sources for the second column in this table is available at <https://cdn.americanprogress.org/content/uploads/2019/04/02053200/State-Noncompetes-Table-SOURCES.pdf>. For additional information about noncompete and no-poaching agreements, see Russell Beck, “Employee Noncompetes: A State by State Survey,” available at <https://www.beckreedriden.com/wp-content/uploads/2019/01/Noncompetes-50-State-Survey-Chart-20190113.pdf> (last accessed March 2019); Fox Rothschild, “National Survey on Restrictive Covenants,” available at <https://www.foxrothschild.com/content/uploads/2015/05/National-Survey-on-Restrictive-Covenants-July-2017.pdf> (last accessed March 2019).