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Labor and Employment  
Effective: October 1, 2019West's Annotated Code of Maryland  
Labor and Employment  
Title 3. Employment Standards and Conditions (Refs & Annos)  
Subtitle 7. Miscellaneous (Refs & Annos)

Effective: October 1, 2019

MD Code, Labor and Employment, § 3-716

**§ 3-716. Employers prohibited from requiring noncompete or conflict of interest provision in employment contract, document, or agreement**[Currentness](#)**Scope of section**

(a)(1) This section applies:

(i) to an employment contract or a similar document or agreement concerning an employee who earns equal to or less than:

1. \$15 per hour; or
2. \$31,200 annually; and

(ii) whether or not the employer and employee entered into the employment contract or similar document or agreement in the State.

(2) This section does not apply to an employment contract or a similar document or agreement with respect to the taking or use of a client list or other proprietary client-related information.

**Public policy**

(b) A noncompete or conflict of interest provision in an employment contract or a similar document or agreement that restricts the ability of an employee to enter into employment with a new employer or to become self-employed in the same or similar business or trade shall be null and void as being against the public policy of the State.

**Credits**

Added by Acts 2019, c. 753, § 1, eff. Oct. 1, 2019.

**Editors' Notes****HISTORICAL AND STATUTORY NOTES****2019 Legislation**

Acts 2019, c. 753, § 2, provides:

"SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to affect a determination by a court in an action involving a noncompete or conflict of interest provision that is not subject to Section 1 of this Act."

MD Code, Labor and Employment, § 3-716, MD LABOR & EMPLOY § 3-716  
Current through all legislation from the 2019 Regular Session of the General Assembly.

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