



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB4007

Introduced 3/4/2021, by Rep. Anne Stava-Murray

#### SYNOPSIS AS INTRODUCED:

820 ILCS 90/15 new

Amends the Illinois Freedom to Work Act. Provides that an employer that elects to enforce a covenant not to compete under the Act must pay to the employee subject to the covenant full compensation, including all benefits, that the employee would have received had his or her employment not been discontinued for the time specified in the covenant not to compete or until the separated employee is employed full-time at a commensurate rate of pay and benefits in a field of work not subject to the covenant not to compete. Provides that an attempt to enforce a covenant not to compete in a manner that does not comply with the payment requirements voids the covenant not to compete. Effective immediately.

LRB102 17232 JLS 22693 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Freedom to Work Act is amended by  
5 adding Section 15 as follows:

6 (820 ILCS 90/15 new)

7 Sec. 15. Enforcement by employer of covenant not to  
8 compete. An employer that elects to enforce a covenant not to  
9 compete under this Act must pay to the employee subject to the  
10 covenant full compensation, including all benefits, that the  
11 employee would have received had his or her employment not  
12 been discontinued (1) for the time specified in the covenant  
13 not to compete or (2) until the separated employee is employed  
14 full-time at a commensurate rate of pay and benefits in a field  
15 of work not subject to the covenant not to compete. Any attempt  
16 to enforce a covenant not to compete in a manner that does not  
17 comply with this Section voids the covenant not to compete.

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law.