

AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

2003 Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To prohibit the enforcement of provisions in broadcasting industry employment contracts that restrict prospective or current employees from engaging in similar employment with another broadcasting industry employer, and to impose penalties on employers seeking to enforce those provisions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Broadcast Industry Contracting Freedom Act of 2002".

New Chapter
5A,
Title 32

Sec. 2. Definitions.

New
§ 32-531

For the purposes of this act, the term "broadcasting industry employment contract" means an employment contract executed, extended, or renewed after January 1, 2003 between a person, other than a sales representative, and a legal entity that owns or operates one or more television stations or networks, one or more radio stations or networks, one or more cable stations or networks, or one or more satellite-based services similar to a broadcast station or network, or any other entity that provides broadcasting services such as news, weather, traffic, sports, or entertainment programming.

Sec. 3. Unenforceability of broadcasting industry contract provisions restricting employment after expiration of contract or termination of employment.

New
§ 32-532

A broadcasting industry employment contract provision that requires an employee or prospective employee to refrain from obtaining similar employment with another broadcasting industry employer following expiration of the contract or upon termination of employment shall be unenforceable.

Sec. 4. Penalty.

New
§ 32-533

Any broadcasting industry employer who violates section 3 shall be liable for damages, attorney's fees, and costs.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 6. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia