

Wyoming Enacts Noncompete Ban

On March 19, 2025, Wyoming enacted a <u>law</u> banning contractual noncompete agreements in most circumstances. The law also includes specific requirements for physician noncompete agreements. The new law applies to contracts entered into on or after **July 1, 2025**.

Overview of Noncompete Ban

The new law bans all noncompete agreements (i.e., any "covenant not to compete that restricts the right of any person to receive compensation for skilled or unskilled labor") entered into on or after July 1, 2025. The law does not affect any agreements entered into prior to such date.

The law also bans noncompete provisions that restrict the right of a physician to practice medicine upon termination of their employment, partnership or corporate affiliation (however, all other provisions of the underlying agreement will remain enforceable). Further, following such termination, or when a noncompete provision is voided, a physician may disclose their new medical practice and contact information to certain patients with rare disorders.

Exceptions

The new law does not ban noncompete agreements:

- In the sale of a business or the assets of the business;
- To the extent they provide for the **protection of trade secrets**;
- Entered into with executive and management personnel and officers; or
- To the extent they provide for the recovery of relocation, education and training expenses of up to:
 - o 100% if the employee worked less than two years;
 - o 66% if the employee worked between two and less than three years;
 - o 33% if the employee worked between three and less than four years.

Next Steps for Employers

Employers may consider reviewing existing employee agreements or form agreements (such as new hire paperwork) to determine whether any contain noncompete provisions that would be invalidated under the law. Employers may also begin preparing revisions to such agreements and consider whether to use alternatives to noncompete provisions (e.g., nondisclosure provisions) to protect competitive business information.

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Highlights

March 19, 2025

Wyoming enacts a new law banning noncompete agreements.

July 1, 2025

The new law banning noncompete agreements takes effect.

Effective July 1, 2025,
Wyoming employers
may not enter into
noncompete
agreements with
employees.