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WEEKLY REPORT
8:45 AM, April 25, 2025, Room 35

- I. Overview and summary of Non-compete bill and statute tracker
 - A. The most recent activity in non-compete policy includes bills passed in early 2025 in Arkansas, Utah, Virginia and Wyoming. The Arkansas, Utah and Wyoming bills cover healthcare non-competes, while the Virginia bill addresses non-competes more generally.
 1. Arkansas: [A Bill](#) for An Act to clarify that a covenant not to compete agreement is unenforceable for certain licensed medical professionals; and for other purposes
 - a) Amends pre-existing non-compete statute in Arkansas to include a subsection voiding any covenant not to compete that prevents a physician from practicing within their scope of practice.
 2. Utah: Health Care Services Platforms
 - a) Prohibits healthcare platforms from requiring practitioners to enter into a non-compete agreement.
 3. Virginia: A Bill to amend and reenact §40.1-28.7:8 of the Code of Virginia, relating to labor and employment; covenants not to compete prohibited; exceptions; civil penalty.
 - a) Amends pre-existing non-compete statute in Virginia to remove the specification for low-wage employees (as defined in the bill) and generalize the bill to prohibit non-competes for any employee. Adds language to allow reasonable non-compete covenants with non-low-wage employees who have received specialized training or education from the employer.
 - b) Action must be brought within 2 years of (i) the employee learning of the non-compete agreement, (ii) termination of the employment relationship, or (iii) attempt by the employer to enforce agreement.
 4. Wyoming: [AN ACT](#) relating to miscellaneous contracts and actions; providing that contractual covenants not to compete are void; providing exceptions; specifying requirements for covenants not to compete for physicians; specifying applicability; and providing for an effective date.
 - a) Voids any non-compete applied to skilled or unskilled laborers. Includes a section specific to physicians. Permits physicians to

notify any patients suffering from a rare disorder or their departure and their contact information in their new employment.

- B. The vast majority of non-compete bills passed within the last two years have pertained to healthcare.
- C. The most common restrictions placed on non-compete agreements are time and geographic area.
 - 1. 1 - 3 years is the most common duration.

II. Senate Economic Development, Housing and General Affairs

A. H.34 – April 22, 2025

- 1. Testimony from
 - a) Rik Sehgal, Legislative Counsel, Office of Legislative Counsel
 - b) Kirby Keeton, Legislative Counsel, Office of Legislative Counsel
 - c) Major General Gregory C. Knight, Adjutant General, Vermont National Guard
 - d) Bob Burke, Director, Vermont Office of Veterans Affairs
 - e) Jay Ramsey, Director of Workforce Development, Vermont Department of Labor
 - f) Michael Harrington, Commissioner, Vermont Department of Labor
- 2. Senator Brock has spearheaded an amendment to the bill that adds a Purpose and Intent section. This section specifies certain workforce sectors where Vermont should target its recruitment of military retirees.
 - a) “[Sec. 1. PURPOSE AND INTENT](#)

(a) Vermont faces workforce shortages in construction, health care, and manufacturing, fields where veterans’ skills are a strong match. Specifically, the McClure Foundation, in partnership with the Department of Labor, released Vermont’s Most Promising Jobs resource in November of 2024, identifying jobs projected to pay a median wage above \$30.00 an hour and that will have at least 300 openings in the State between 2022–2032. By eliminating military retirement pension taxation and simultaneously implementing strategic workforce training and incentives, Vermont can capitalize on military retirees and their spouses to supply valuable labor for various in-demand industries, addressing labor shortages and stimulating economic development.

(b) In 2024, Vermont created the Office of Workforce Strategy and Development to help coordinate and strengthen workforce development across the State. The Commissioner of Labor and the Executive Director of Workforce Strategy and Development will work together on workforce development and, through this act, be provided specific duties and

responsibilities ensuring successful workforce leadership in the State. and by renumbering the remaining sections to be numerically correct.”

- b) Senator Brock said and Chair Clarkson agreed that the next step is to target recruitment of military retirees to locations around the country where they are employed in sectors of the workforce that require skilled labor needed in Vermont, as specified in the proposed Section 1 amendment to the bill.
- 3. The draft bill also includes an amendment that requires the ACCD, with the help of the Office of Workforce Strategy and Development, to submit a report to the House Committee on Commerce and Economic Development each year by December 1st through 2029.