

SENATE FILE NO. SF0107

Freedom to work and build business.

Sponsored by: Senator(s) Nethercott and Kolb and  
Representative(s) Angelos, Filer, Johnson,  
Lucas, Singh, Washut and Wharff

A BILL

for

1 AN ACT relating to miscellaneous contracts and actions;  
2 providing that contractual covenants not to compete are  
3 void; providing exceptions; specifying requirements for  
4 covenants not to compete for physicians; specifying  
5 applicability; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 1-23-108 is created to read:

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11 **1-23-108. Contractual provisions in restraint of**  
12 **trade generally void; exceptions; unlawful intimidation.**

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14 (a) Any covenant not to compete that restricts the  
15 right of any person to receive compensation for performance

1 of skilled or unskilled labor shall be void. This  
2 subsection shall not apply to:

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4 (i) Any covenant not to compete contained in a  
5 contract for the purchase and sale of a business or the  
6 assets of a business;

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8 (ii) Any covenant not to compete to the extent  
9 the covenant provides for the protection of trade secrets  
10 as defined by W.S. 6-3-501(a)(xi);

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12 (iii) Any contractual provision providing for  
13 the recovery of all or a portion of the expense of  
14 relocating, educating and training an employee as follows:

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16 (A) Recovery of not more than one hundred  
17 percent (100%) of the expense for an employee who has  
18 served an employer for a period of less than two (2) years;

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20 (B) Recovery of not more than sixty-six  
21 percent (66%) of the expense for an employee who has served  
22 an employer for between two (2) and less than three (3)  
23 years;

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2 (C) Recovery of not more than thirty-three  
3 percent (33%) of the expense for an employee who has served  
4 an employer for between three (3) and less than four (4)  
5 years.

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7 (iv) Executive and management personnel and  
8 officers and employees who constitute professional staff to  
9 executive and management personnel.

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11 (b) Any covenant not to compete provision of an  
12 employment, partnership or corporate agreement between  
13 physicians that restricts the right of a physician to  
14 practice medicine as defined in W.S. 33-26-102(a)(xi), upon  
15 termination of the physician's employment, partnership or  
16 corporate affiliation, is void, provided that all other  
17 provisions of the agreement enforceable at law shall remain  
18 enforceable.

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20 (c) Notwithstanding subsection (b) of this section,  
21 upon termination of the employment, partnership or  
22 corporate affiliation, or upon the voiding of an agreement  
23 not to compete specified in subsection (b) of this section,

1 a physician may disclose his continuing practice of  
2 medicine and new professional contact information to any  
3 patient with a rare disorder as defined in accordance with  
4 the national organization for rare disorders, or a  
5 successor organization, to whom the physician was providing  
6 consultation or treatment before termination of the  
7 employment, partnership or corporate affiliation. Neither  
8 the physician nor the physician's employer shall be liable  
9 to any party to the prior agreement for damages alleged to  
10 have resulted from the disclosure or from the physician's  
11 treatment of the patient after termination of the prior  
12 agreement or employment, partnership or corporate  
13 affiliation.

14

15 **Section 2.**

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17 (a) This act shall apply to contracts entered into on  
18 and after July 1, 2025.

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20 (b) Nothing in this act shall be construed to alter,  
21 amend or impair any contract or agreement entered into  
22 before July 1, 2025.

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