

Governor Would Like Massachusetts To Join California As A Non-Noncompete State

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**William A.
Nolan**

Partner
Columbus
Managing Partner

Not long ago, Mark Scudder [wrote here about the enforcement of a five-year noncompete](#) by an Indiana state court. At the other end of the spectrum of this highly state-specific issue, Massachusetts Governor Deval Patrick made news this week by announcing that he is in favor of making noncompetes unenforceable in Massachusetts. There is a significant school of thought in Massachusetts that it is disadvantaged in recruiting high-tech talent by the fact that chief rival California, in effect, prohibits employers from using noncompetes. That talent, the argument goes, is more likely to leave Massachusetts for California where they will have more freedom in pursuing the next job opportunity. As a result, bills to at least make it more difficult to enforce noncompetes have been percolating in Massachusetts for several years. Governor Patrick's comments came on the occasion of a committee hearing on those bills. It remains to be seen if any of these bills become law – they appear not to have gained much momentum previously. If they do become law, it will mark [yet another state law change for employers to keep track of](#). [Here](#) is some local coverage of the Massachusetts legislation and the Governor's comments.

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