

***Effective 5/10/2016***

**34-51-301 Award of arbitration costs, attorney fees and court costs, and damages.**

If an employer seeks to enforce a post-employment restrictive covenant through arbitration or by filing a civil action and it is determined that the post-employment restrictive covenant is unenforceable, the employer is liable for the employee's:

- (1) costs associated with arbitration;
- (2) attorney fees and court costs; and
- (3) actual damages.

Enacted by Chapter 153, 2016 General Session