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3 SENATE GOVERNMENTAL AFFAIRS COMMITTEE AMENDMENT TO SB129
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8 On page 11, line 17, after the period insert the
9 following:

10 The reasonableness of the decision of the franchisor
11 shall be a question of fact requiring consideration of all
12 existing circumstances.
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14 On page 15, line 5, after "protection" insert the
15 following:

16 or to limit damages
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18 On page 15, after line 17, insert a new paragraph m.
19 as follows:

20 m. Impose upon a franchisee, by contract or rule,
21 written or oral, any unreasonable or overbroad noncompetition
22 agreement. If a judge or jury finds that a noncompetititon
23 agreement is in violation of state law, the entire
24 noncompetition agreement is void and unenforceable.
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26 On page 17, line 8, after the period insert the
27 following:

1 Every cause of action under this act shall survive
2 the death of the franchisee.

3
4 On page 17, line 18, after "maliciously," insert the
5 following:

6 or in a manner not otherwise authorized by state
7 law,

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9 On page 19, line 8, after "1975" insert the
10 following:

11 , and the relationship between a motor vehicle
12 dealer and a manufacturer or distributor, as defined in that
13 act, shall be governed exclusively by that act. This act may
14 not be construed as amending or affecting any provision of
15 Chapter 9, Title 28, Code of Alabama 1975, and the
16 relationship between wholesalers and suppliers of beer, as
17 defined in that chapter, shall be governed by that chapter