State of South Carolina

Executive Department

FILED

FEB 12 2013

Mark Hammond
SECRETARY OF STATE

Office of the Governor

EXECUTIVE ORDER NO. 2013-02

WHEREAS, while South Carolina's business climate is improving, it is imperative that we foster a stronger and more competitive business climate to encourage entrepreneurial and business activities, employment, and economic growth in our State; and

WHEREAS, South Carolina can improve its business climate by reducing government involvement in business and professional activities that stifle entrepreneurship, small business creation, and economic growth; and

WHEREAS, one way to reduce government involvement in business is to create a more simplified and market-friendly regulatory system that is regularly evaluated to determine the costs and benefits to the public and businesses; and

WHEREAS, hundreds of state statutes, rules, and regulations should be thoroughly reviewed in a thoughtful, balanced, and expeditious way in order to assess their potential or actual effects on South Carolina's economy; to determine whether their costs and other burdens on businesses, employers, and the public outweigh their intended benefits; and to provide a basis for a promulgating agency to withdraw or amend any proposed or current rules or regulations that unduly burden South Carolina's businesses and workers.

NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby establish the Governor's Regulatory Review Task Force ("Task Force") to be composed of eleven members to include the chairman of the Small Business Regulatory Review Committee, appointees from the majority and minority leaders of the Senate and House of Representatives, and representatives from different business sectors and the conservation community, of which I shall designate the chairperson. I hereby direct the Task Force as follows:

Section I. Task Force Directives

1. **Task Force Mission**: To develop a report that evaluates South Carolina's current regulatory burdens on all sizes and types of businesses in South Carolina and proposes recommendations to relieve those burdens.

2. **Duties and responsibilities:**

   a. The Task Force shall evaluate the reports submitted by agencies, pursuant to Section II, that identify current and proposed statutes, rules, regulations, and policies that are a burden on South Carolina's economy.

   b. The Task Force shall cooperate and coordinate with the Small Business Regulatory Review Committee, as practicable, to identify burdensome statutes, rules, regulations, and policies.

   c. The Task Force shall conduct public hearings and solicit input from businesses, employers, employees, conservation groups, professional associations, state agencies, and other interested persons and groups to develop its final report. As practicable, the Task Force shall conduct public hearings in local communities around the State.

   d. Staff will be designated to assist the Task Force in developing its report.

   e. The Task Force shall submit its final report on or before November 15, 2013 to the Governor and the members of the General Assembly.

FURTHER, I hereby direct all Cabinet agencies and encourage all other executive agencies as follows:

Section II. Agency Directives

1. Each agency shall identify its current and proposed statutes, rules, regulations, and policies that are a burden on South Carolina's economy using the following guidelines:

   a. Each agency shall comprehensively review all current and proposed statutes, rules, regulations, and policies in order to assess their effects on South Carolina's economy and to determine whether their costs to businesses and employers outweigh their intended benefits.

   b. In evaluating statutes, rules, regulations, and policies, each agency should consider factors to include, but not limited to, their necessity, complexity, efficiency, effectiveness, redundancy, public complaints or comments, short- and long-term effects, impact on all affected persons, both intended and unintended, and unintended negative consequences.

2. Each agency shall submit a written report to the Task Force on or before May 15, 2013, providing detailed recommendations to repeal or amend any provisions that unduly burden businesses and employers.

3. Each agency is authorized to call upon any department, office, division, or agency of this State to supply it with data and other information, personnel, or assistance it deems necessary to discharge its duties under this Order. Each department, officer, division, or agency of the State is hereby required, to the extent not inconsistent with law, to cooperate with another agency and to furnish it with such information, personnel, and assistance as is necessary to accomplish the purpose of this Order.

4. Each agency shall take care to solicit both written and oral comments from the public, including businesses, employees, professional associations, conservation organizations, and other affected persons or entities as the agency deems appropriate and to consider the views expressed by those parties in any report.

5. Any agencies affected by the Small Business Regulatory Flexibility Act of 2004 shall work in conjunction with the Small Business Regulatory Review Committee to review current and proposed regulations using the factors described in this Order and the Act, to make recommendations to the Task Force on or before May 15, 2013, and to repeal or amend any provisions that unduly burden small businesses and employers.

This Order is effective immediately.

GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 12TH DAY OF FEBRUARY 2013.

NIKKI R. HALEY
Governor

ATTEST:

MARK HAMMOND
Secretary of State