

By Senator Hays

20-01365-12

20121822

Senate Memorial

A memorial to the Congress of the United States,  
urging Congress to repeal the Sarbanes-Oxley Act of  
2002.

WHEREAS, the Sarbanes-Oxley Act was enacted on July 30,  
2002, in Pub. L. No. 107-204, and

WHEREAS, the stated purpose of the act is "to protect  
investors by improving the accuracy and reliability of corporate  
disclosures made pursuant to the securities laws ...," and

WHEREAS, this federal legislation was passed with the best  
of corrective intentions after the discovery of corporate fraud  
and accounting scandals that cost investors and retirees  
billions of dollars, and

WHEREAS, the Sarbanes-Oxley Act, in spite of the good  
intentions that motivated its passage, has created an extremely  
complex maze of federal regulations that are costly and damaging  
to public companies and diminish the companies' ability to  
compete against foreign financial entities that are not subject  
to its regulations, and

WHEREAS, the costs that businesses must bear to comply with  
the extensive provisions of the Sarbanes-Oxley Act are  
unnecessary and crippling, disproportionately affecting smaller  
businesses, and

WHEREAS, financial market scholars have observed that the  
Sarbanes-Oxley Act has produced the unfortunate consequence of  
discouraging American businesses from listing with New York  
stock exchanges and listing instead in England where the markets  
and stock exchanges are less heavily regulated, and

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30 WHEREAS, the Sarbanes-Oxley Act is a very costly example of  
31 Federal Government intrusion that imposes unnecessary regulatory  
32 costs on American businesses and interferes with basic free  
33 market principles, and

34 WHEREAS, instead of preventing fraud and ensuring  
35 transparency, the extensive regulations created by the Sarbanes-  
36 Oxley Act have thwarted the creation of new public companies,  
37 driven business away from domestic stock markets, and cost the  
38 industrial sector billions of dollars, NOW, THEREFORE,

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40 Be It Resolved by the Legislature of the State of Florida:

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42 That the Congress of the United States is urged to repeal  
43 the Sarbanes-Oxley Act of 2002 to remove the damaging obstacles  
44 that the act has created for American public companies and  
45 replace it with reasonable non-intrusive measures to protect  
46 investors.

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48 BE IT FURTHER RESOLVED that copies of this memorial be  
49 dispatched to the President of the United States, to the  
50 President of the United States Senate, to the Speaker of the  
51 United States House of Representatives, and to each member of  
the Florida delegation to the United States Congress.