

SEC 2026 REGULATORY AGENDA CONTINUES FOCUS ON EASING DISCLOSURE REQUIREMENTS AND SIMPLIFYING CAPITAL RAISING FOR PUBLIC COMPANIES

Jul 10, 2026

What Happened

On July 3, 2026, the Office of Information and Regulatory Affairs of the OMB released the SEC's [2026 Regulatory Agenda](#), which sets forth a significant number of future rule proposals. The proposals involving public company regulations appear generally favorable in respect to easing disclosure requirements and simplifying capital raising (which may also benefit private companies), and also includes potential rule proposals that may lessen procedural requirements. Several of the identified topics are carried over from the [Spring 2025 Reg. Flex Agenda](#), with no action taken on several of these items to date.

In respect to the proposed rulemaking activity, Chairman Paul Atkins [commented](#) that the agenda is consistent with the SEC's mission of "reversing the decline of public companies and revitalizing the public markets," with the intention that the proposed reforms reduce compliance burdens and facilitate capital formation in public markets, which is consistent with past statements made by him. In regard to private markets, Chairman Atkins indicated that the agenda items are intended to ensure a regulatory framework that is transparent and continues to be safeguarded, while also noting that the agenda includes a proposal to facilitate retail investor participation in private markets.

Timing For Potential Rule Making Activity

Each of the proposals is targeted for release in October 2026. However, these dates are only tentative, and as evidenced by the carry-over items from the Spring 2025 Reg. Flex Agenda (which included a target rule proposal date of April 2026 for the items relevant to public companies), the rule proposals may be released by the SEC at a later date.

Proposed Rule Proposals

Proposed New Rule Proposals:

Executive Compensation Disclosure Reform

Consider proposing rule amendments to Item 402 of Regulation S-K to rationalize executive compensation disclosure requirements.

Amendments to Certain Proxy Rules

Consider proposing rule amendments to modernize certain rules regarding the proxy solicitation process, including filing and procedure requirements relating to proxy solicitations and shareholder meetings.

Electronic Delivery of Information under Federal Securities Laws

Consider proposing rules to address use of electronic delivery for information required to be delivered under federal securities laws in order to modernize the SEC's approach to the use of electronic media and reduce costs of delivery.

Foreign Private Issuer Eligibility Enhancements

Consider proposing enhancement of the regulatory framework governing foreign private issuers (FPIs).

The FPI eligibility enhancements was a topic on the 2025 Spring Reg. Flex Agenda, which indicated that this item was in the pre-rule stage. The SEC had previously put out a concept release in June 2025 seeking public comment on the potential modification of the definition of FPI in light of changes in the FPI population since the SEC's last broad review of reporting FPIs and the eligibility criteria for FPI status. The comment period on potential modification of FPI status ended in September 2025. For additional information, see [our previous post](#) discussing the SEC concept release.

Carry-Over Rule Proposals from the 2025 Reg. Flex Agenda

The below items are topics that were on the Spring 2025 Reg. Flex Agenda and again appear on the current year agenda.

Rule 144 Safe Harbor

Consider reproposing amendments to Rule 144 to increase instances in which the safe harbor would be available.

Updating the Exempt Offering Pathways

Consider proposing rule amendments to facilitate capital formation and simplify the pathways for raising capital for, and investor access to, private businesses – including modification of accredited investors standards.

Rationalization of Disclosure Practices

Consider proposing rule amendments to rationalize disclosure practices to facilitate material disclosure by companies and shareholders' access to that information.

Shareholder Proposal Modernization

Consider proposing rule amendments to modernize the requirements of Rule 14a-8 applicable to shareholder proposals to reduce compliance burdens for registrants and account for developments since the rule was last amended.

Items for which Rule Proposals Have Already Been Issued

The 2026 Regulatory Agenda also includes proposed items where rule proposals have been released, with comment periods already expired or scheduled to do so in the next several weeks. No date for final rule making activity is indicated for these proposals. The proposals, along with links to the BCLP posts discussing these items, include:

- [Enhancement of Emerging Growth Company Accommodations and Simplification of Filer Status for Reporting Companies](#)
- [Registered Offerings Reform](#)
- [Semiannual Reporting](#)
- [Recission of Climate-Related Disclosure Rules](#)

Related Capabilities

- Securities & Corporate Governance

Meet The Team



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