

**EXECUTIVE ORDER
NUMBER TWENTY-ONE**

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES

**RE: SMALL BUSINESS ACCESS, READINESS, AND CAPITAL
DEPLOYMENT**

WHEREAS, small businesses, home-based businesses, and first-time entrepreneurs are essential drivers of Delaware’s economy, workforce participation, and community stability; and

WHEREAS, many Delawareans—particularly working-class individuals, immigrants, and first-time entrepreneurs—face administrative, informational, and procedural barriers when attempting to start or grow a small business; and

WHEREAS, many of these barriers frequently arise not from legitimate health or safety requirements, but from fragmented state and federal support programs and state regulations that are unnecessary or duplicative; and

WHEREAS, Delaware maintains a wide range of small business support programs, including grants, tax incentives, workforce initiatives, and capital access tools, yet these resources are often difficult for small businesses to leverage in a timely manner; and

WHEREAS, investment in Opportunity Zones and other underserved census tracts can be limited by fragmented information, inconsistent coordination, and unclear signals regarding state priorities; and

WHEREAS, delayed payment for completed public work and services can impose severe cash-flow constraints on small businesses and micro-contractors, threatening their viability.

NOW THEREFORE, I, MATTHEW MEYER, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** the following:

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1. There is hereby established an Office of Small Business Access (“OSBA”) within the Division of Small Business (“DSB”). This Office will:
 - a. Serve as single point of contact for entrepreneurs interacting with state agencies;
 - b. In collaboration with the Office of the Governor, track agency compliance with this Executive Order;
 - c. Establish a platform to obtain and track small business feedback on regulatory barriers to entry or growth;
 - d. Recommend repeal of any regulation that functions primarily as a barrier to entry or a burden on operations rather than as a protection of health or safety;
 - e. Recommend repeal of any regulation that is unnecessarily duplicative of another regulation, such as reporting requirements; and
 - f. Maintain and manage the agency Small Business Liaison network established under Section 2 of this Order, including providing orientation and guidance to designated Liaisons, coordinating cross-agency implementation efforts, and escalating unresolved barriers to the Office of the Governor as appropriate.
2. Each executive branch agency that administers programs, permits, licenses, or contracts affecting small businesses shall designate at least one employee to serve as a Small Business Liaison to DSB and the OSBA.
 - a. Each Liaison shall serve as the designated point of contact between their agency and OSBA, and shall be responsible for:
 - i. Coordinating agency implementation of this Order;
 - ii. Facilitating the development of agency-level processes, workflows, and internal guidance to reduce barriers for small businesses; and
 - iii. Responding to referrals and inquiries from OSBA in a timely manner; and
 - iv. Suggesting regulatory reforms to reduce barriers to entry and common hurdles for small businesses.
 - b. Each agency head shall notify OSBA of the designated Liaison within 30 days of the effective date of this Order and shall notify OSBA promptly upon any change in designation.

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3. DSB, in coordination with all executive branch agencies administering small-business-facing programs, shall ensure that core materials are provided in plain language. Newly produced DSB core materials shall be made available in English, Spanish, and Haitian Creole and additional languages as appropriate based on limited-English-proficiency data.
4. Within 120 days of the effective date of this Order, the Division of Public Health (“DPH”) shall exercise its existing statutory and regulatory authority under Title 16 of the Delaware Code to modernize and streamline the regulation of low-risk, food-based small businesses, in order to reduce unnecessary administrative and procedural barriers to entry while maintaining robust public health protections.
 - a. DPH shall expand and modernize Delaware’s cottage food framework to allow the production of low-risk, shelf-stable foods to operate under a simplified, registration-based process rather than full commercial food establishment licensure, where consistent with public health standards. Such foods shall include non-potentially hazardous foods produced using non-hazardous processes, including baked goods, candies, honey, dried herbs, and similar items.
 - b. DPH shall apply a risk-based approach to oversight of cottage food establishments and other low-risk food producers, scaling procedural requirements based on the nature of the food product, production process, and volume of activity, and relying on objective safeguards such as sanitation standards, labeling, and reasonable production or sales limits.
 - c. DPH shall review and update application, registration, inspection, and approval procedures applicable to low-risk food producers to minimize time-to-revenue, including by:
 - i. Establishing clear application completeness standards;
 - ii. Utilizing streamlined or registration-first approval pathways where appropriate; and
 - iii. Conducting inspections or audits post-registration, rather than as a universal precondition to operation, where consistent with public health protection.
 - d. DPH shall clarify by guidance and, where necessary, through rulemaking that cottage food establishments and other low-risk food-based businesses are not required to secure a separate commercial lease or undertake a commercial kitchen build-out solely as a condition of commencing operations, unless such requirements are necessary to meet applicable food safety standards.
 - e. Consistent with the performance-based physical facility requirements of the Delaware Food Code, DPH shall clarify by guidance and, where necessary,

through rulemaking that a food truck or mobile food establishment may satisfy applicable sanitation and food-safety requirements through onboard equipment and operations alone, without reliance on a separate servicing area or commissary, where the establishment demonstrably meets the Code's physical facility and sanitation standards.

- f. Nothing in this section shall be construed to waive or diminish DPH's authority to enforce food safety standards, require additional safeguards where warranted based on risk, or prohibit the preparation or sale of foods that pose a clear or unacceptable public health risk.
5. Led by DSB, the State Fire Marshal, DPH, DNREC, DelDOT, and any other agency with site-level inspection authority for physical business premises are directed to create a Small Business Joint Inspection Pilot. Within 120 days, these agencies shall:
 - a. Publish a standard list of the most common new small-footprint businesses;
 - b. Publish a single, public-facing checklist for each business type describing all state requirements, in plain English;
 - c. Offer coordinated inspection scheduling so that, upon request of the applicant, all required inspectors visit in one coordinated window rather than sequentially; and
 - d. Agencies shall not condition scheduling on other agency sign-off first, except where prohibited by health and safety constraints.
 6. All State agencies are directed to ensure the timeliness of payment for small businesses within 15 days of the invoice approval. The Department of Finance's Division of Accounting shall track and report to the Office of the Governor average payment times by agency.
 7. The Delaware Prosperity Partnership ("DPP"), in coordination with DSB and relevant agencies, is requested to establish and maintain a centralized Small Business Opportunity & Capital Clearinghouse.
 - a. The Clearinghouse shall include state capital programs, EDGE grants, workforce programs, tax incentives, and relevant federal programs including SBA loans, SSBCI-aligned products, Opportunity Zones, and New Markets Tax Credits.
 - b. The Clearinghouse shall include a guided intake tool and clearly state eligibility, documentation, and timelines.
 - c. Executive branch agencies administering programs included or eligible for inclusion in the Clearinghouse shall, upon request of DPP or DSB, provide program information, eligibility criteria, documentation requirements, and

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timeline data necessary to maintain the accuracy and completeness of the Clearinghouse.

- d. The DPP is requested to regularly report to the DSB on inquiries to facilitate collaborative responses when necessary.
8. DSB shall seek to enter a memorandum of understanding (“MOU”) to partner with the Small Business Development Center (“SBDC”) to perform the following:
 - a. Publication of standardized capital and program readiness materials. Materials shall include accounting templates, financial statement formats, and program-specific readiness checklists aligned with state and federal capital programs such as the State Small Business Credit Initiative and Opportunity Zones; and
 - b. Identification of measurable performance metrics and a process for tracking participating businesses from initial engagement through program outcomes, and provision of regular joint review of those outcomes by DSB and SBDC.
 9. DSB shall solicit public feedback on Opportunity Zones.
 - a. DSB shall recommend to the Governor:
 - i. Priority Opportunity Zone tracts for active capital deployment;
 - ii. Opportunities to align EDGE grants, workforce funding, infrastructure, and site readiness investments to Opportunity Zone tracts; and
 - iii. A plan for the creation of a clearinghouse that lists projects with site control, zoning clarity, and preliminary financial feasibility. The clearinghouse will be used to support outreach to investors and alignment of state resources.
 - b. Recommendations shall be submitted to the Office of the Governor by June 15, 2026.
 10. OSBA shall regularly report to the Office of the Governor on implementation of this Executive Order and identify any statutory changes required. OSBA shall also prepare an annual report that shall be coordinated with, and incorporated as a supplement to, the annual report of the Office of Supplier Diversity filed pursuant to the Governor’s Executive Order Number 22 on Supplier Diversity.

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APPROVED this 7th day of May, 2026.

Matthew Meyer
Governor

ATTEST:

Secretary of State