



UNITED STATES OF AMERICA  
FEDERAL TRADE COMMISSION  
WASHINGTON, D.C. 20580

Office of Policy Planning

January 14, 2025

VIA ELECTRONIC MAIL

The Honorable Thomas Davis  
Senator  
South Carolina Senate

Re: S.B. 46

Dear Senator Davis

I write this letter as the Director of the Federal Trade Commission

officials.

I understand that  
among other things  
between physical  
an independent  
rule under the F

<sup>1</sup> The rule has not come into effect at this time, decision does not prevent the FTC from addressing noncompetes through case enforcement actions.

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<sup>3</sup> 89 Fed. Reg. 38454.

<sup>4</sup> FTC, Noncompete Rule, <https://www.ftc.gov/legal/library/browse/rules/noncompetele>.

<sup>5</sup> Id. at 38344





important as a deterrent, as can parallel enforcement of state laws.<sup>32</sup>

As the Commission explains in the final rule, the rule would not preempt state laws that restrict noncompetes and do not conflict with it, including both broader state prohibitions and state prohibitions that are narrower

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