**A** **BILL**

TO AMEND SECTION 11‑35‑1524, AS AMENDED, RELATING TO A PREFERENCE FOR A RESIDENT VENDOR IN CONNECTION WITH A PROCUREMENT SUBJECT TO THE STATE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE VENDOR AND ITS EMPLOYEES MUST BE LEGAL RESIDENTS OF SOUTH CAROLINA TO TAKE ADVANTAGE OF THE PREFERENCE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 11‑35‑1524(B)(6)(c) of the 1976 Code, as added by Act 153 of 1997, is amended to read:

“(c) maintains an inventory for expendable items which are representative of the general type of commodities on which the bid is submitted and located in South Carolina at the time of the bid having a total value of ten thousand dollars or more based on the bid price, but not to exceed the amount of the contract, or is a manufacturer which is headquartered and has at least a ten million dollar payroll in South Carolina legally payable to legal residents of the State, and the product is made or processed from raw materials into a finished end‑product by such manufacturer or an affiliate (as defined in Section 1563 of the Internal Revenue Code) of such manufacturer, and”

SECTION 2. Section 11‑35‑1524(C) of the 1976 Code, as added by Act 153 of 1997, is amended to read:

“(C) Application. Competitive procurements made by governmental bodies shall be made from vendors legally resident ~~to~~ in South Carolina or vendors who bid end‑products made, manufactured, or grown in South Carolina or in the United States if available, provided that (1) the bidder has certified in writing in the bid that he or she is a legal resident to the State, or (2) the bidder has certified in writing in the bid that the end‑product was made, manufactured, or grown in South Carolina by a workforce that is made up of only legal residents of this State, or in the United States, (3) the end‑product is available, and (4) the cost of the end‑product is not unreasonable. In order to receive the award the vendor must be a responsible and responsive bidder, and the bid must otherwise comply with the Procurement Code and Regulations.

In the case of a request for resident vendor status, this requirement shall apply to the entire solicitation. In the case of a request for end‑product status, this requirement shall apply to each line item or each lot in a solicitation to which a separate, responsive bid may be made.”

SECTION 3. This act takes effect upon approval by the Governor.

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