COMMITTEE REPORT

April 3, 2017

**H. 3792**

Introduced by Reps. Thayer, Funderburk and Sandifer

S. Printed 4/3/17--S.

Read the first time March 9, 2017.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (H. 3792) to amend the Code of Laws of South Carolina, 1976, by adding Section 59‑23‑245 so as to provide minimum standards for the numbers of toilets and lavatories, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Article 2, Chapter 23, Title 59 of the 1976 Code is amended by adding:

“Section 59‑23‑245. (A) Notwithstanding applicable national, state, or local building codes, plumbing codes, school building regulations, or other provisions of law relating to the minimum numbers of required plumbing fixtures for stadiums in middle schools and high schools based on occupancy and use, the minimum number of:

(1) toilets for male restrooms required for a stadium are:

(a) one per two hundred for the first fifteen hundred occupancy;

(b) one per two hundred fifty for the next fifteen hundred occupancy; and

(c) one per five hundred for the remainder occupancy;

(2) toilets for female restrooms required for a stadium are:

(a) one per one hundred for the first one thousand five hundred twenty occupancy;

(b) one per one hundred fifty for the next one thousand five hundred twenty occupancy; and

(c) one per three hundred for the remainder occupancy;

(3) lavatories for male restrooms required for a stadium are one per three hundred; and

(4) lavatories for female restrooms required for a stadium are one per three hundred.

(B) The provisions of this section apply to all middle school stadiums and high school stadiums built or renovated after the effective date of this act and all middle school stadiums and high school stadiums in existence or in the process of being planned, constructed, or renovated on the effective date of this act. However, a stadium that is being renovated but is not replacing existing seating or adding new seating may not be required to add water closets or lavatories to conform to the provisions of this section or any other applicable building code, plumbing code, school building regulations, or another provision of law. For a stadium that is being renovated to replace existing or add new seating, the plumbing fixtures requirements apply only to the number of new seats being added or replaced.

(C) To determine the occupant load of each sex, the total occupant load must be divided in half. To determine the required number of fixtures, the fixture ratio or ratios for each fixture type must be applied to the occupant load of each sex in accordance with subsection (A). Fractional numbers resulting from applying the fixture ratios must be rounded up to the next whole number. For calculations involving multiple occupancies, such fractional numbers for each occupancy first must be summed and then rounded up to the next whole number. However, the total occupant load must not be required to be divided in half where approved statistical data indicates a distribution of the sexes of other than fifty percent of each sex.”

SECTION 2. This act takes effect upon approval by the Governor and is applicable to any existing facilities and future facilities. /

Renumber sections to conform.

Amend title to conform.

HARVEY S. PEELER, JR. for Committee.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑23‑245 SO AS TO PROVIDE MINIMUM STANDARDS FOR THE NUMBERS OF TOILETS AND LAVATORIES AVAILABLE FOR MEN AND WOMEN AT MIDDLE SCHOOL FOOTBALL STADIUMS AND HIGH SCHOOL FOOTBALL STADIUMS, AND TO PROVIDE THESE STANDARDS APPLY NOTWITHSTANDING OTHERWISE APPLICABLE BUILDING CODES AND PLUMBING CODES, AMONG OTHER THINGS.

Whereas, South Carolina adopts building codes to maintain reasonable and consistent standards of construction in buildings and other structures in the State in order to protect the public health, safety, and welfare of its citizens; and

Whereas, the South Carolina General Assembly finds current building codes and plumbing codes that specify the minimum number of water closets and lavatories for football stadiums causes an undue financial burden on our public schools, and consequently must be revised. Now, therefore,

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

SECTION 1. Article 2, Chapter 23, Title 59 of the 1976 Code is amended by adding:

“Section 59‑23‑245. (A) Notwithstanding applicable national, state, or local building codes, plumbing codes, school building regulations, or other provisions of law relating to the minimum numbers of required plumbing fixtures for football stadiums in middle schools and high schools based on occupancy and use, the minimum number of:

(1) toilets for male restrooms required for a football stadium are:

(a) one per two hundred for the first fifteen hundred occupancy;

(b) one per two hundred fifty for the next fifteen hundred occupancy; and

(c) one per five hundred for the remainder occupancy;

(2) toilets for female restrooms required for a football stadium are:

(a) one per one hundred for the first one thousand five hundred twenty occupancy;

(b) one per one hundred fifty for the next one thousand five hundred twenty occupancy; and

(c) one per three hundred for the remainder occupancy;

(3) lavatories for male restrooms required for a football stadium are one per three hundred; and

(4) lavatories for female restrooms required for a football stadium are one per three hundred.

(B) The provisions of this section apply to all middle school football stadiums and high school football stadiums built or renovated after the effective date of this act and all middle school football stadiums and high school football stadiums in existence or in the process of being planned, constructed, or renovated on the effective date of this act. However, a stadium that is being renovated but is not replacing existing seating or adding new seating may not be required to add water closets or lavatories to conform to the provisions of this section or any other applicable building code, plumbing code, school building regulations, or another provision of law. For a stadium that is being renovated to replace existing or add new seating, the plumbing fixtures requirements apply only to the number of new seats being added or replaced.

(C) To determine the occupant load of each sex, the total occupant load must be divided in half. To determine the required number of fixtures, the fixture ratio or ratios for each fixture type must be applied to the occupant load of each sex in accordance with subsection (A). Fractional numbers resulting from applying the fixture ratios must be rounded up to the next whole number. For calculations involving multiple occupancies, such fractional numbers for each occupancy first must be summed and then rounded up to the next whole number. However, the total occupant load must not be required to be divided in half where approved statistical data indicates a distribution of the sexes of other than fifty percent of each sex.”

SECTION 2. This act takes effect upon approval by the Governor and is applicable to any existing facilities and future facilities.

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