**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑35‑52 SO AS TO PROVIDE FOR A TWENTY‑FIVE PERCENT SET‑ASIDE FOR GOVERNMENTAL BODIES AND LOCAL POLITICAL SUBDIVISIONS SUBJECT TO THE STATE CONSOLIDATED PROCUREMENT CODE FOR CONTRACTS FOR ENVIRONMENTALLY PREFERABLE GOODS OR SERVICES ENTERED INTO OUTSIDE OF THE PROCUREMENT CODE; AND BY ADDING SECTION 11‑35‑1522 SO AS TO PROVIDE FOR A FIVE PERCENT PREFERENCE FOR VENDORS OF ENVIRONMENTALLY PREFERABLE GOODS OR SERVICES IN CONNECTION WITH COMPETITIVE PROCUREMENTS SUBJECT TO THE STATE CONSOLIDATED PROCUREMENT CODE.

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

SECTION 1. Article 1, Chapter 35, Title 11 of the 1976 Code is amended by adding:

“Section 11‑35‑52. (A) For purposes of this section, ‘environmentally preferable’ means that the goods or services are certified to:

(1) be made with or include processes that involve salvaged, recycled, or agricultural waste content;

(2) conserve natural resources;

(3) avoid toxic or other emissions;

(4) save energy or water; or

(5) otherwise contribute to a safe, healthy, sustainable environment.

(B) Notwithstanding another provision of law, a governmental body or local political subdivision otherwise subject to this chapter may set aside twenty‑five percent of its procurement funds for the contracting of environmentally preferable goods and services outside the provisions of this chapter.”

SECTION 2. Subarticle 3, Article 5, Chapter 35, Title 11 of the 1976 Code is amended by adding:

“Section 11‑35‑1522. (A) For purposes of this section, ‘environmentally preferable’ means that the goods or services are certified to:

(1) be made with or include processes that involve salvaged, recycled, or agricultural waste content;

(2) conserve natural resources;

(3) avoid toxic or other emissions;

(4) save energy or water; or

(5) otherwise contribute to a safe, healthy, sustainable environment.

(B) Notwithstanding another provision of law, a vendor of environmentally preferable goods and services is entitled to a five percent preference in connection with a competitive procurement for those goods or services subject to the State Consolidated Procurement Code.”

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

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