**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SUBARTICLE 7 TO ARTICLE 9, CHAPTER 35, TITLE 11 SO AS TO PROVIDE REQUIREMENTS CONCERNING ACCEPTABLE PIPING MATERIAL IN THE STATE PROCUREMENT CODE, AND TO DEFINE NECESSARY TERMS.

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

SECTION 1. Article 9, Chapter 35, Title 11 of the 1976 Code is amended by adding:

“Subarticle 7

Acceptable Piping Material

Section 11‑35‑3260. For the purposes of this subarticle:

(1) ‘Governmental agency’ means a county government, municipality, school district, public district, county board of education, joint powers authority, water or sewer district, special purpose district, or any other public or municipal corporation.

(2) ‘Acceptable piping material’ means piping material that meets current and recognized standards.

Section 11‑35‑3265. (A) A governmental agency that is procuring materials and using state funds for a water supply, wastewater, stormwater, or storm drainage project shall allow all vendors of acceptable piping material to participate in the bidding process to study, plan, design, construct, develop, finance, maintain, rebuild, improve, repair, or operate the water, wastewater, stormwater, and storm drainage utilities.

(B) The governmental agency shall consider acceptable piping material to be suitable for the project only if the use of that material is commensurate with sound engineering practices and project requirements as determined by an official or engineer of the governmental agency.

(C) Nothing in this section prohibits the governmental agency from choosing a material at its discretion for a project referred to in subsection (A).”

SECTION 2. This act takes effect upon approval by the Governor.

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