COMMITTEE REPORT

April 20, 2016

**H. 4661**

Introduced by Reps. Forrester, Sandifer, Clemmons, Loftis, Stringer, Norman, Ballentine, Rivers and Hicks

S. Printed 4/20/16--H.

Read the first time January 13, 2016.

**THE COMMITTEE ON**

**LABOR, COMMERCE AND INDUSTRY**

To whom was referred a Bill (H. 4661) 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, 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, Section 11‑35‑3265, as contained in SECTION 1, by deleting the section in its entirety and inserting:

/ Section 11‑35‑3265. (A) The governmental agency that is procuring materials and using state funds for a water supply, wastewater, stormwater, or storm drainage project shall allow all acceptable piping material to participate in the bidding process for the construction, rebuild, or repair with sound engineering practices and project requirements as determined by an official engineer of the governmental agency.

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

Renumber sections to conform.

Amend title to conform.

WILLIAM E. SANDIFER III for Committee.

**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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