**South Carolina General Assembly**

126th Session, 2025-2026

**H. 3801**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Erickson, Willis and Crawford

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Introduced in the House on January 28, 2025

Introduced in the Senate on April 9, 2025

Currently residing in the Senate Committee on **Finance**

Summary: Procurement

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/28/2025 House Introduced and read first time ([House Journal‑page 23](h:\hj\20250128.docx))

1/28/2025 House Referred to Committee on **Education and Public Works** ([House Journal‑page 23](h:\hj\20250128.docx))

4/2/2025 House Committee report: Favorable **Education and Public Works** ([House Journal‑page 3](h:\hj\20250402.docx))

4/2/2025 House Member(s) request name added as sponsor: Willis,
Crawford

4/4/2025 Scrivener's error corrected

4/8/2025 House Read second time ([House Journal‑page 16](h:\hj\20250408.docx))

4/8/2025 House Roll call Yeas-102 Nays-0 ([House Journal‑page 16](h:\hj\20250408.docx))

4/9/2025 House Read third time and sent to Senate ([House Journal‑page 20](h:\hj\20250409.docx))

4/9/2025 Senate Introduced and read first time ([Senate Journal‑page 3](h:\sj\20250409.docx))

4/9/2025 Senate Referred to Committee on **Finance** ([Senate Journal‑page 3](h:\sj\20250409.docx))

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=3801&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/28/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3801_20250128.docx)

[04/02/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3801_20250402.docx)

[04/04/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/3801_20250404.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Report

April 2, 2025

H. 3801

Introduced by Reps. Erickson, Willis and Crawford

S. Printed 4/2/25--H. [SEC 4/4/2025 3:48 PM]

Read the first time January 28, 2025

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The committee on House Education and Public Works

To whom was referred a Bill (H. 3801) to amend the South Carolina Code of Laws by amending Section 11‑35‑710, relating to exemptions from the state procurement code, so as to add planning for repairs, etc., respectfully

Report:

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

SHANNON ERICKSON for Committee.

statement of estimated fiscal impact

Explanation of Fiscal Impact

State Expenditure

This bill amends §11-35-710, relating to exemptions from the state procurement code, so as to add transportation planning, operation of bridges, highways, and roads, and other improvements on the state’s rights of way to the list of exemptions. The bill specifies that this exemption does not apply to welcome centers operated or staffed by PRT.

Exemptions from the state procurement code currently include construction, maintenance, and repair of bridges, highways and roads; vehicle and road equipment maintenance and repair; and other emergency-type parts or equipment utilized by DOT or the Department of Public Safety.

**Department of Transportation.** DOT indicates that this bill clarifies the agency’s ability to work on other improvements on the state’s right of way and their authority to do procurement on those projects but does not create any additional costs for the agency. Therefore, this bill will have no expenditure impact on the department.

**Department of Parks, Recreation, and Tourism.** This bill specifies that the exemption does not apply to welcome centers operated or staffed by PRT. Therefore, the department indicates that the bill will have no expenditure impact because it does not materially or fiscally impact the agency.

State Revenue

This bill adds transportation planning, operation of bridges, highways, and roads, and other improvements on the state’s rights of way to the list of exemptions from the purchasing procedures in Chapter 35 of Title 11, South Carolina’s Consolidated Procurement Code.

DOT indicates that by including transportation planning in the list of exemptions, the department will be able to utilize all of its available federal funding. DOT reports that FHWA distributes $4,400,000 of federal funding to South Carolina for transportation planning. DOT currently solicits for these services under the state procurement request for proposals process. Pursuant to the state procurement procedures in §11-35-3310, indefinite quantity contracts for engineering firms are limited to $300,000 for a two-year period with individual project expenditures not to exceed $100,000. This threshold is preventing DOT from utilizing all of the available $4,400,000 and from meeting some required planning activities pursuant to 23 C.F.R. Parts 420 and 450. Therefore, this bill will enable the department to utilize all of its available Federal Funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 11‑35‑710, RELATING TO EXEMPTIONS FROM THE STATE PROCUREMENT CODE, SO AS TO ADD PLANNING FOR REPAIRS TO BRIDGES, HIGHWAYS, ROADS, AND OTHER IMPROVEMENTS ON THE STATE’S RIGHTS OF WAY TO THE LIST OF EXEMPTIONS AND TO PROVIDE CERTAIN EXCEPTIONS.

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

SECTION 1. Section 11‑35‑710(A)(1) of the S.C. Code is amended to read:

(1) the transportation planning, construction, maintenance, operation, and repair of bridges, highways, and roads; , and other improvements on state’s rights of way; vehicle and road equipment maintenance and repair; and other emergency‑type parts or equipment utilized by the Department of Transportation or the Department of Public Safety. This exemption does not apply to welcome centers operated or staffed by the Department of Parks, Recreation and Tourism;

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

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