AMENDED

March 9, 2017

**H. 3652**

Introduced by Reps. Forrester, V.S. Moss, Clemmons, Allison, Loftis, Burns, Chumley, Jefferson, Mack, Willis, Anderson, Ballentine, Duckworth, Henderson, D.C. Moss, Norman, Pitts, S. Rivers, Rutherford, Tallon, Elliott and Hixon

S. Printed 3/9/17--H.

Read the first time February 2, 2017.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11‑35‑3265 SO AS TO REQUIRE GOVERNMENTAL AGENCIES TO CONSIDER ALL PIPING MATERIALS FOR DETERMINING REQUIREMENTS FOR CERTAIN PROJECTS, TO PROVIDE PIPING MATERIALS THAT MEET SUCH REQUIREMENTS AND COMPLY WITH SOUND ENGINEERING PRACTICES MUST BE ALLOWED TO BE CONSIDERED IN RELATED PROCUREMENT BIDDING PROCESSES, AND TO PROVIDE THE PROVISIONS OF THIS SECTION DO NOT LIMIT THE DISCRETION OF GOVERNMENTAL AGENCIES FROM SELECTING PIPING MATERIALS FOR PROJECTS SUBJECT TO THE PROVISIONS OF THIS SECTION.

Amend Title To Conform

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

SECTION 1. Subarticle 5, Article 9, Chapter 35, Title 11 of the 1976 Code is amended by adding:

“Section 11‑35‑3265. (A) All piping materials that comply with sound engineering practices and meet project requirements as determined by an engineer, employed or retained by a governmental body or any political subdivision, must be allowed to participate in the bidding process when a governmental agency is procuring piping materials for a water supply, wastewater, stormwater, or storm drainage project for which state funds are used.

(B) Nothing in this section prohibits an official or an engineer of the governmental agency from choosing a material at its discretion for a project referred to in subsection (A).

(C) The provisions of this section do not apply if a supplier has pipe or piping materials suitable for a project purpose in stock or in inventory.”

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

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