

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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SENATE BILL 397

Short Title: Open & Fair Competition/Water & Wastewater. (Public)

Sponsors: Senators Sanderson and Rabin (Primary Sponsors).

Referred to: Rules and Operations of the Senate.

March 25, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT TO ENSURE OPEN AND FAIR COMPETITION WITH RESPECT TO THE  
3 MATERIALS USED IN WASTEWATER, STORMWATER, AND OTHER WATER  
4 PROJECTS.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 8 of Chapter 143 of the General Statutes is amended by  
7 adding a new section to read:

8 "**§ 143-129.10. No preference for one acceptable piping material over another in State**  
9 **funded water, wastewater, or stormwater projects.**

10 (a) Prohibition. – A public entity shall not prefer one type of acceptable piping material  
11 over another in studying, planning, designing, constructing, developing, financing, maintaining,  
12 rebuilding, improving, repairing, procuring, or operating a water, wastewater, or stormwater  
13 drainage project that is funded in whole or in part with State funds unless sound engineering  
14 practices suggest that one type of acceptable piping material is more suitable for a particular  
15 project.

16 (b) Definitions. – The following definitions apply in this section:

17 (1) Acceptable Piping Material. – Piping material that meets or exceeds the  
18 standards issued by the American Society for Testing and Materials or the  
19 American Water Works Association.

20 (2) Public Entity. – A State agency, county, city, sanitary district created under  
21 Part 2 of Article 2 of Chapter 130A of the General Statutes, an authority  
22 created under Article 1 of Chapter 162A of the General Statutes, a  
23 metropolitan sewer district created under Article 5 of Chapter 162A of the  
24 General Statutes, a county water and sewer district created under Article 6 of  
25 Chapter 162A of the General Statutes, or any other political subdivision of  
26 the State."

27 SECTION 2. This act becomes effective October 1, 2015.

