

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS45162-LM-94

Short Title: Buy American Steel. (Public)

Sponsors: Senators Craven, Overcash, and Johnson (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED
AN ACT PROVIDING THAT THE STATE AND LOCAL GOVERNMENTS SHALL USE
AMERICAN IRON AND STEEL IN PUBLIC WORKS PROJECTS.

The General Assembly of North Carolina enacts:

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

"§ 143-128.5. Required use of American-produced iron and steel products.

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

(1) Governmental entity. – As defined in G.S. 143-128.1B.

(2) Iron or steel product. – Any product made primarily of iron or steel, including, but not limited to, lined or unlined pipes and fittings; bars and rods; wire, wire ropes, and link chains; forgings; grating and drainage products; access covers, hatches, manhole covers, and other castings; hydrants; electric transmission and distribution poles; tanks; flanges; pipe clamps and restraints; valves; structural steel and other steel mill products; materials made primarily of iron and steel within precast concrete; and other construction materials made primarily of iron or steel.

(3) Manufacturing process. – The application of a process to alter the form or function of materials or elements of a product in a manner that adds value and transforms the materials or elements into a new finished product functionally different from a finished product produced merely from assembling materials or elements into a product without applying such a process.

(4) Produced in the United States. – With respect to iron and steel, all manufacturing processes, from initial melting through application of coatings, occurred in the United States, other than metallurgical processes to refine steel additives.

(5) Public works project. – An activity paid for with any State-appropriated funds or State funds administered by a governmental entity which consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof owned in whole or in part by any governmental entity.

(b) Notwithstanding any other provision of law, a governmental entity awarding a contract for a public works project or for the purchase of materials for a public works project shall include in the contract a provision requiring that any iron or steel product permanently



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incorporated in the project shall be produced in the United States. This subsection does not apply to any of the following:

(1) A public works project for which the governmental entity administering the funds for the project or the purchase of materials for the project finds that any of the following apply:

a. Iron or steel products produced in the United States are not produced in sufficient quantities, reasonably available, or of satisfactory quality.

b. The use of iron or steel products produced in the United States will increase the total cost of the project by more than twenty percent (20%).

c. Complying with this subsection is inconsistent with the public interest.

(2) A public works project that makes minimal use of foreign iron or steel materials when both of the following apply:

a. The foreign iron or steel materials are incidental or ancillary to the primary product and are not separately identified in the project specifications.

b. The cost of the foreign iron or steel materials does not exceed one-tenth of one percent (0.1%) of the total contract cost or two thousand five hundred dollars (\$2,500), whichever is greater. For purposes of this sub-subdivision, the cost of the foreign iron or steel materials is that shown to be the value of those materials as they are delivered to the project.

(3) Electrical components, equipment, systems, and appurtenances, including supports, covers, shielding, and other appurtenances related to an electrical system, necessary for operation or concealment, except transmission and distribution poles.

(c) This section shall be applied in a manner consistent with, and may not be construed to impair, the State's obligations under any international agreement.

(d) This section does not apply to contracts awarded by the Department of Transportation subject to the Buy America requirements of 23 C.F.R. § 635.410."

SECTION 2. This act becomes effective July 1, 2026, and applies to contracts awarded on or after that date.