



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 157 (Substitute S-2 as reported)  
Sponsor: Senator Rick Jones  
Committee: Michigan Competitiveness

**CONTENT**

The bill would enact the "Public Works Quality Materials Procurement Act" to prohibit a public entity from adopting or enforcing an ordinance that restricted or prohibited the evaluation, comparison, or use of certain pipe and piping materials that met current American Society for Testing and Materials, American Water Works Association, or NSF International standards, to be used for a public works project (a water supply project or a wastewater project) financed in whole or in part by public funds.

This provision would not limit the professional judgment of the project's engineer to specify or select any acceptable pipe and piping material based on the performance requirements for the particular public works project.

"Public entity" would mean a school district, community college district, intermediate school district, city, village, township, county, public authority, or public airport authority. "Public funds" would include State legislative appropriations and State tax revenue for public works projects. "Ordinance" would mean an ordinance, resolution, or other appropriate legislative enactment of the governing body of a public entity. The term would not include design or construction specifications developed by a professional engineer in consultation with the public entity that are specific to a particular public works project.

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill would have an unknown fiscal impact on public entities, which could be positive or negative. The bill would tend to increase costs in circumstances where a public entity found that pipe and piping materials meeting industry standards would be useful for the efficient and reliable operation, maintenance, or expansion of water supply or wastewater systems. Alternatively, the bill could promote the consideration of a variety of materials for projects that could result in cost savings. Assuming that public entities already review options for pipe and piping materials used in local water supply or wastewater systems, there would not be additional savings from prohibiting an ordinance that specifies pipe and piping materials to be used in local projects.

Date Completed: 3-28-17

Fiscal Analyst: Elizabeth Pratt