



## 2013 Engineering Legislative Issues

The engineering community are interested in numerous issues relating to business as well as the health, safety and welfare of our citizens. The following bills and issues are important during this legislative session.

### Legislation Engineers Favor

**Update of State Law, Title 40 Chapter 22, the Engineering and Surveying Practice Act** - This bill will be introduced soon in both the House and Senate. Many of the changes make the current law conform more to the National Council of Examiners for Engineering and Surveying (NCEES) model law. Also, this bill further defines registration board members, clarifies language qualifying graduate engineers for registration, includes new areas in practice of engineering, specifies engineering college curricula required for registration, and prohibits licensees from entering into contracts on public work by means other than direct negotiations.

**Transportation** – This year there is more interest in funding highways and bridges in the legislature in many years. Legislators need to hear from you, as a highway user as well as a professional, the need for additional funds to fix our roads. There are more than a dozen bills already introduced to secure more funds for the highway system. These bills and their sponsors need your support. In her State of the State Address, Governor Haley called for additional funding for highways and bridges. The following bills have been introduced:

S.14 (Grooms)  
S.139 (Grooms and L. Martin)  
S.149 (Gregory)  
S.184 (Sheehen)  
S.209 (Peeler, Sheheen and Gregory)  
S.210 (S. Martin, Peeler, Bryant and Bright)  
H.3017 (Ballentine, G.R. Smith and Huggins)  
H.3115 (Merrill)  
H.3123 (Crosby, Sottile and Daning)  
H.3157 (Sellers)  
H.3231 (Atwater)  
H.3233 (Jefferson, Mitchell, J.H. Neal, Rutherford and Williams)

**Limited Liability Corporation – S.124** - The SC Supreme Court, in a 3-2 opinion, held that the SC General Assembly did not intend the Limited Liability Corporation Act to shield a member of a LLC from a personal liability for his own torts while acting in the course of business for the LLC. With this ruling, members of the LLC's are no longer insulated from personal liability when acting in good faith for the LLC. The impact on businesses in the state is significant because the primary benefit of LLC's, which is the shield of personal liability, has been eliminated with this ruling. Senator Larry Martin introduced S. 124 to rectify this situation. Numerous engineering

and architectural firms are LLCs; this bill is extremely important to these firms and their principals.

**Tort Reform and Workers' Compensation** – The SC Civil Justice Coalition is formulating its tort reform agenda. Engineers and Architects have supported this coalition's efforts in tort reform and strengthening the Workers' Compensation Commission policies, procedures and findings.

**Bond Bill for Vertical Construction Projects** – The design and construction industry accounts for one in nine dollars of our Gross Domestic Product and has disproportionally suffered during our economic decline with 35% to 50% loss of jobs since 2008. In this continuing weak economy, there is no better investment than building. AIASC supports legislation to issue and sell direct general obligation interest-bearing bonds to be used for the purposes of capital outlay and maintenance.

### Legislation Engineers Oppose

**Standard Public School Plans**– The engineering community joins its architectural brethren opposing any requirements for standard architectural plans for public schools to which all construction must comply. These standard plans would be the property of the State Department of Education. Legislation calling for these standard school plans has been introduced in past sessions, and may be introduced this year.

**False Claims Act** – There are two bills in the General Assembly to enact a false claims law which is potentially harmful to businesses; it creates an incentive for lawsuits to target companies that do business with the government. Engineers and architects do not support this legislation.

**Licensure of Interior Designers** - In previous legislative years, legislation requiring the licensure of interior designers has been introduced. Other states have determined the work interior designers perform does not impact the public's health, safety and welfare; therefore, architects and engineers oppose licensing these individuals.

### For More Information Contact

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