

HOUSE BILL No. 1116

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-13.6; IC 5-16-1-10; IC 5-30; IC 36-1-12-25.

Synopsis: Piping materials for public works projects. Defines "acceptable piping material" as piping material that: (1) meets certain recognized standards; and (2) meets the performance specifications for the public works contract. Provides, for purposes of the law on public works projects of state agencies and political subdivisions, including design-build public works projects, that the specifications or design criteria package must allow bidding in open competition for acquisition of acceptable piping materials for use in the public works project. Provides, however, that a public works project's engineer is not limited in selecting any acceptable piping materials that meet the requirements of the public works project.

Effective: July 1, 2021.

Miller D

January 7, 2021, read first time and referred to Committee on Government and Regulatory Reform.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1116

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-13.6-1-1.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 1.3. "Acceptable piping**
4 **material", for purposes of IC 4-13.6-5-13, means piping material**
5 **that:**

- 6 (1) **meets the recognized standards for piping material issued**
7 **by:**
8 (A) **the American Society for Testing and Materials; or**
9 (B) **the American Water Works Association; and**
10 (2) **meets the performance specifications for the public works**
11 **contract.**

12 SECTION 2. IC 4-13.6-5-13 IS ADDED TO THE INDIANA CODE
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2021]: **Sec. 13. (a) This section applies to a contract for a public**
15 **works project that involves the installation of piping materials.**

16 (b) **The specifications for a public works project must allow**
17 **bidding in open competition for acquisition of acceptable piping**



1 materials for use in the public works project.

2 (c) Subsection (b) does not limit a public works project's
3 engineer, in the exercise of the engineer's professional judgment,
4 in selecting any acceptable piping materials that meet the
5 requirements of the public works project.

6 SECTION 3. IC 5-16-1-10 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2021]: Sec. 10. (a) This section applies to every public works
9 project to which any section of this chapter applies.

10 (b) As used in this section, "acceptable piping material" means
11 piping material that:

12 (1) meets the recognized standards for piping material issued
13 by:

14 (A) the American Society for Testing and Materials; or

15 (B) the American Water Works Association; and

16 (2) meets the performance specifications for the public works
17 contract.

18 (c) The specifications for a public works project must allow
19 bidding in open competition for acquisition of acceptable piping
20 materials for use in the public works project.

21 (d) Subsection (c) does not limit a public works project's
22 engineer, in the exercise of the engineer's professional judgment,
23 in selecting any acceptable piping materials that meet the
24 requirements of the public works project.

25 SECTION 4. IC 5-30-1-1.2 IS ADDED TO THE INDIANA CODE
26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
27 1, 2021]: Sec. 1.2. "Acceptable piping material" means piping
28 material that:

29 (1) meets the recognized standards for piping material issued
30 by:

31 (A) the American Society for Testing and Materials; or

32 (B) the American Water Works Association; and

33 (2) meets the performance specifications for the public project
34 contract.

35 SECTION 5. IC 5-30-2-3 IS ADDED TO THE INDIANA CODE
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
37 1, 2021]: Sec. 3. (a) This section applies to every design-build
38 contract for a public project to which this article applies.

39 (b) The design criteria package for a public project must allow
40 bidding in open competition for acquisition of acceptable piping
41 materials for use in the public project.

42 (c) Subsection (b) does not limit a public project's engineer, in



1 the exercise of the engineer's professional judgment, in selecting
2 any acceptable piping materials that meet the requirements of the
3 public project.

4 SECTION 6. IC 36-1-12-25 IS ADDED TO THE INDIANA CODE
5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2021]: **Sec. 25. (a) This section applies to every public works
7 project to which any section of this chapter applies.**

8 **(b) As used in this section, "acceptable piping material" means
9 piping material that:**

10 **(1) meets the recognized standards for piping material issued
11 by:**

12 **(A) the American Society for Testing and Materials; or**

13 **(B) the American Water Works Association; and**

14 **(2) meets the performance specifications for the public works
15 project.**

16 **(c) The specifications for a public works project must allow
17 bidding in open competition for acquisition of acceptable piping
18 materials for use in the public works project.**

19 **(d) Subsection (c) does not limit a public works project's
20 engineer, in the exercise of the engineer's professional judgment,
21 in selecting any acceptable piping materials that meet the
22 requirements of the public works project.**

