

# P3 Legislative Snapshot

## SOUTH CAROLINA

**State P3 Legislative Status:** Transportation and infrastructure-related P3 authority.

### 1. Does this state have broadly-enabling P3 legislation?

Authorized to enter into agreements to finance construction and maintenance of highways, roads, streets, and bridges. The Partnership for Public Facilities and Infrastructure Act sets for a method for public and private entities to work together to develop and operate projects but does not apply to the Department of Transportation.

### 2. Does this state allow for Unsolicited Proposals?

Not addressed in the transportation related statutes. Unsolicited proposals are allowed under the Partnership for Public Facilities and Infrastructure Act.

### 3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Not defined in the transportation statutes. Approved and reviewed by local government under the Partnership for Public Facilities and Infrastructure Act.

### 4. Does this state have a Centralized Agency dedicated to P3?

South Carolina Department of Transportation (SC DOT) and the Department of Administration.

### 5. Is this a Home Rule state, with limitations or opportunities for P3?

Yes, but there is considerable debate about the breadth and depth of its use.

### 6. What Projects or Asset Classes are eligible for P3 in this state?

Highways, roads, streets and bridges, as well as turnpike facilities. Under the Public Facilities and Infrastructure Act, any project involving the generation of electric energy for sale, communications services, cable and video services or water reservoir projects.

### 7. Are there Projects where the P3 procurement method has been applied?

No.

### 8. What is the legislative foundation for P3s in this state?

[S.C. Code Ann. § 57-3-200 for SC DOT](#) (Highways, roads, streets and bridges)

[S.C. Code Ann. §§57-5-1310 to 1495](#): (Turnpike facilities)

[2021-2022 Bill 3559: Partnership for Public Facilities and Infrastructure Act - South Carolina Legislature Online](#) (scstatehouse.gov)

