

PARTIAL EXEMPTION LIST ORDERED BY DATE

FINDING AID ONLY

CONSULT PUBLISHED EXEMPTION'S LIST FOR COMPLETE INFORMATION

CURRENT PROCUREMENT CODE EXEMPTIONS

Last Revised August 19, 2008

NAME	DATE	EXEMPTION TEXT
Art & Artifacts	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (10) South Carolina Arts Commission and the South Carolina Museum Commission for the purchase of one-of-a-kind items such as paintings, antiques, sculptures and similar objects. Before a governmental body procures the objects, the head of the purchasing agency shall prepare a written determination specifying the need for the objects and the benefits to the State. The South Carolina Arts Commission shall review the determination and forward a recommendation to the board for approval...."
Athletic Funds	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (6) expenditure of funds at State institutions of higher learning derived wholly from athletic or other student contests, from the activities of student organizations and from the operation of canteens and bookstores, except as such funds are used for the procurement of construction, architect-engineer, construction-management and land surveying services...."
Books & Periodicals	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (11) published books, periodicals, and technical pamphlets."
Commerce - Railways	1981.07.30 1993.07.01 2006.06.13	"The following exemptions are granted from this chapter: (4) Division of Public Railways of the Department of Commerce...."
Commercial Resale	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (8) articles for commercial sale by all governmental bodies."
DOT & DPS	1981.07.30 1993.07.01 1996.06.05 2006.06.13	"The following exemptions are granted from this chapter: (1) The construction, maintenance, and repair of bridges, highways, and roads; vehicle and road equipment maintenance and repair; and other emergency-type parts or equipment utilized by the Department of Transportation or the Department of Public Safety."
Livestock	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (7) Livestock, feed and veterinary supplies...."
Perishables	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (9) fresh fruits, vegetables, meats, fish, milk and eggs."
Prison Industries - Raw Materials	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (2) the purchase of raw materials by the South Carolina Department of Corrections, Division of Prison Industries...."
Public Service Authority (Santee Cooper)	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (5) South Carolina Public Service Authority...."
State Ports Authority	1981.07.30 2006.06.13	"The following exemptions are granted from this chapter: (3) South Carolina State Ports Authority...."
Postage	1982.02.25	Postage ¹
Fuel Cards	1982.04.27	"The Board exempted the following from the purchasing procedures required under the Consolidated Procurement Code as authorized by Section 11-35-710: (4) oil company credit card purchases for gas, oil, and jet fuel charges only;" ¹

NAME	DATE	EXEMPTION TEXT
Post Office Boxes	1982.04.27	"The Board exempted the following from the purchasing procedures required under the Consolidated Procurement Code as authorized by Section 11-35-710: (2) U.S. Post Office Box rentals;" ¹
Professional Dues	1982.04.27	"The Board exempted the following from the purchasing procedures required under the Consolidated Procurement Code as authorized by Section 11-35-710: (5) professional dues and memberships." ¹
Utilities	1982.04.27	"The Board exempted the following from the purchasing procedures required under the Consolidated Procurement Code as authorized by Section 11-35-710: (1) invoices for gas and electricity and water and sewer services provided by public utilities subject to rate regulation by the Public Service Commission;" ¹
Vocational Rehab. Industries	1982.05.11	Raw materials and related supplies to be exclusively used in the production of a finished product by clients for the Department of Vocational Rehabilitation on a contract basis with industry. ¹
Professional Services - Attorneys (1)	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (a) attorneys, subject to approval by the Attorney General's Office." ^{1,3}
Professional Services - Auditors	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (b) certified public accountants and public accountants engaged to perform financial and/or compliance audits, subject to approval by the State Auditor's Office, with actuarial audits and other accounting services to be procured under the terms of the Consolidated Procurement Code." ^{1,3}
Professional Services - Clergy	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (k) clergy." ^{1,4}
Professional Services - Court Reporters	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (l) court reporters." ^{1,4}
Professional Services - Dentists	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (f) dentists." ^{1,3}
Professional Services - Doctors	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (d) medical doctors." ^{1,3}
Professional Services - Expert Witness	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (m) expert witness services." ^{1,4}
Professional Services - Hospital & Med Clinic	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (c) hospital and medical clinic services." ^{1,3}
Professional Services - Investment Counselors	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (j) investment counselors." ^{1,3}
Professional Services - LPNs	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (h) licensed practical nurses." ^{1,3}
Professional Services - Optometrists	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (e) optometrists" ^{1,3}
Professional Services - Psychiatrists	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (i) psychiatrists." ^{1,3}
Professional Services - RNs	1982.07.13	"The Board exempted the purchase of the following services by governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code: (g) registered nurses." ^{1,3}

NAME	DATE	EXEMPTION TEXT
General Services Sales	1982.08.04	The Board exempted "services and/or supplies provided by the Division of General Services to public procurement units from the requirements of [the Consolidated Procurement Code.]" ¹
Corrections - Canteen Funds	1982.08.24	"The Board exempted the following items from the requirements of the Consolidated Procurement Code...: (2) expenditure of funds by the Department of Corrections derived wholly from its canteen operations." ¹
Fuel Oil & Diesel Fuel	1982.08.24	"The Board exempted the following items from the requirements of the Consolidated Procurement Code...: (4) fuel oil and diesel oil (the \$2,500 limit is waived; however, competition should be obtained whenever possible)." ¹
Insurance - IRF	1982.08.24	"The Board exempted the following items from the requirements of the Consolidated Procurement Code...: (5) contracts between the Insurance Reserve Fund and insurers and reinsurers for primary and reinsurance coverage." ¹
Treasurer - Bond Issues	1982.08.24	"The Board exempted the following items from the requirements of the Consolidated Procurement Code...: (3) expenditures of funds by the Office of State Treasurer in the issuance of bonds to include printing costs and any fees associated with any bond issuance." ¹
Professional Services - Actuaries	1982.09.14	"The Board exempted actuaries from the requirements of the Consolidated Procurement Code." ¹
Professional Services - Artists	1982.12.17	Professional artists utilized by the South Carolina Arts Commission. ¹
Professional Services - Osteopaths	1983.01.11	"The Board exempted from the purchasing procedures and reporting requirements of the Consolidated Procurement Code . . . the purchase of the services of doctors of osteopathy. The Board took this action upon the recommendation of the Division of General Services." ^{1,3}
Instructional Seminars	1983.03.08	"The Board exempted instructional training seminars offered by governmental bodies to state employees on a registration fee basis and those contractual consultant services necessary to provide the professional instruction for the seminars from the requirement to purchase these items through the respective chief procurement officer's area of responsibility."
Professional Services - Physical Therapists	1983.03.22	"The Board exempted physical therapists, physical therapy assistants . . . from the requirement that these services be purchased through the respective Chief Procurement Officers area of responsibility." ^{1,3}
Professional Services - Speech Pathologists	1983.03.22	"The Board exempted speech pathologists . . . from the requirement that these services be purchased through the respective Chief Procurement Officers area of responsibility." ^{1,3}
Professional Fees	1983.04.26	"The Budget and Control Board . . . amended an exemption granted under the Consolidated Procurement Code for professional dues and memberships to include registration fees." ¹
Professional Services - Occupational Therapists	1983.05.10	"The Budget and Control Board exempted occupational therapists from the purchasing procedures of the Consolidated Procurement Code, as recommended by the Division of General Services." ³
HHS Grant Awards	1983.09.13	"The Board approved the reference exemptions in accord with the Procurement Code Section 11-35-710, upon the recommendation of the Division of General Services." General Services recommended "that the following be exempted from the requirements of the Procurement Code in accordance with Code Section 11-35-710: (a) the Health and Human Services Commission from competitive requirements of the Code when placing funds with recipients as defined in Section 11-35-310(18) [defining "governmental body"] of the Code, in administering Title XIX of the Social Security Act (Medicaid), including early periodic screening, diagnostic and treatment program, community long-term care system, and social services block grant program, provided that recipients receiving such funds shall follow the requirements of the [Consolidated Procurement] Code in the expenditure of such funds. . . ."
Professional Services - Veterinary Services	1983.09.13	"The Board approved the reference exemptions in accord with the Procurement Code Section 11-35-710, upon the recommendation of the Division of General Services." General Services recommended "that the following be exempted from the requirements of the Procurement Code in accordance with Code Section 11-35-710: (b) veterinary services customarily obtained on a fee basis rather than by competitive solicitation, on the condition that the individual or firm involved must be licensed to perform veterinary services, that the individual, in fact, is providing those services licensed, and that the contractual relationship between the individual

NAME	DATE	EXEMPTION TEXT
		or firm and governmental body cannot be an employee/employer relationship which would be governed by State Personnel rules and regulations."
Research Authority (2)	1983.09.21 2005.06.07 2006.06.13	"The following exemptions are granted from this chapter: (12) South Carolina Research Authority...."
Commerce Dept - Tokyo Office	1983.12.20	"The Board agreed to exempt all expenditures paid from the Tokyo office operated by the Development Board, the Ports Authority, and the Department of Agriculture from the requirements of the Procurement Code."
Professional Services - Appraisers	1985.03.12	"The Board exempted appraisers from the purchasing procedures and reporting requirements of the Procurement Code in accord with Code Section 11-35-710, on the recommendation of the Division of General Services."
HMOs	1985.06.25	"The Board exempted health maintenance organizations (HMOs) from the requirements of the bid process under the Procurement Code . . ."
Commodity Boards	1985.07.01	"(AGRI: Commodity Boards Expenditures) Expenditures made for the various Commodity Boards (as budgeted under other funds in Program IV.B. Marketing Services: Commodity Boards) are exempt from regulations under the Procurement Act of 1981."
Art & Artifacts - Confederate Relic Room	1985.08.27	"The Board, in accord with Procurement Code §11-35-710, exempted from the purchasing procedures the acquisition of historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced in the judgment of the Confederate Relic Room and Museum staff."
Governor's Mansion - Upholstering	1985.10.09	"The Board exempted the procurement of upholstering supplies and services by the Governor's Mansion Complex from the requirements of the Procurement Code...."
Governor's Mansion - Interior Design	1986.01.16	"The Board exempted the Governor's Mansion Committee from the requirements of the State Procurement Code concerning matters of interior design for the three houses in the Governor's Mansion Complex and the Old Towne House at Charles Towne Landing and exempted donated labor and materials on these facilities, notwithstanding any other provisions of the law."
Treasurer - Debt & Banking Functions; Financing of Lease / Purchase	1986.03.25	"The Board exempted the financing provisions of lease/purchase contracts and other debt and banking functions of the State Treasurer's Office from the procurement procedures of the Procurement Code, upon the recommendation of the Division of General Services, pursuant to Code §11-35-710."
Accreditation Expenses	1986.04.22	The Board exempted "[e]xpenses of evaluation committees required for institutions of higher learning in order to maintain accreditation (i.e., Southern Association of Colleges and Schools)" "from the purchasing procedures of the Procurement Code"
Advertisements - Professional Publications	1986.04.22	The Board exempted "Advertisements in professional journals or publications" from the "purchasing procedures of the Procurement Code."
Advertising	1986.04.22	The Board exempted "Advertising time or space in newspapers, on radio or television (Note: Consultants obtained to handle advertising campaigns for agencies such as PRT and State Development Board are not exempted.)" from the "purchasing procedures of the Procurement Code."
Animals - Research	1986.04.22	The Board exempted "Animals acquired for specific or general research, testing or experimentation" from the "purchasing procedures of the Procurement Code."
Software Licenses	1986.04.22	The Board exempted "[l]icense agreements for computer software after such software has been competitively bid as required by the Procurement Code" "from the purchasing procedures of the Procurement Code."
Utilities - Late Fees	1986.05.27	"The Board clarified the exemption [previously] granted [on April 27, 1982] under Section 11-35-710 to exclude late payment charges under Section 11-35-45 effective July 1, 1986 thereby allowing public utilities to assess late payment charges under their respective tariffs as approved by the South Carolina Public Service Commission."
HHS - Title XIX Provider Contracts	1986.07.29	"The Board exempted from the requirements of the Procurement Code service provider contracts awarded by the Health and Human Services Finance Commission funded from Federal Title XIX (Medicaid) which are for the direct provision of services to eligible clients where each client has freedom of choice to select a provider."
Telephone Late	1987.03.24	"The Board, under authority granted in Section 11-35-710, exempted from Section 11-35-45 late payment charges from regulated companies providing telecommunication services to State agencies thereby allowing public utilities to assess late payment charges under their respective tariffs as approved by the South

NAME	DATE	EXEMPTION TEXT
Charges		Carolina Public Service Commission effective for late payment charges arising from services rendered after July 1, 1987."
Tuition Payments	1987.07.14	"The Board exempted tuition paid [by a governmental body] to all institutions of higher learning [public or private] from certain requirements of the procurement code in accordance with Code Section 11-35-710."
Drug Card Program	1988.06.28	"The Board, in accord with Section 11-35-710, exempted from the requirements of the procurement code procurement of pharmacy services by the South Carolina Retirement Systems under the prescription drug card program where system members have freedom of choice to select from among participating pharmacies."
Conference Sites	1988.12.13	"The Board, in accord with Code Section 11-35-710, approved an exemption from procurement procedures for the acquisition process for conference facilities, on the condition that staff implements guidelines for the process which are designed to result in a greater geographic spread of conference sites in-State."
Commerce Dept - consultants abroad	1989.12.20	"The Board, in accord with Code Section 11-35-710 and as recommended by the Division of General Services, approved the following exemptions from the purchasing policies and procedures of the Procurement Code: (b) the following State Development Board procurements: . . . all part-time international business consultants who represent the State of South Carolina in foreign countries."
Commerce Dept - Frankfurt Office	1989.12.20	"The Board, in accord with Code Section 11-35-710 and as recommended by the Division of General Services, approved the following exemption from the purchasing policies and procedures of the Procurement Code: (b) the following State Development Board procurements: all procurements paid from the Frankfurt, West Germany office for the use of that office; leases for office space in foreign countries;" *
Medical - Invasive Items	1989.12.20	"The Board, in accord with Code Section 11-35-710 and as recommended by the Division of General Services, approved the following exemption from the purchasing policies and procedures of the Procurement Code: (a) the following medical items invasive to the human body which would be selected by a patient and doctor: implants, grafts, pacemakers, heart valves, joint replacements, organs, tissue, blood and blood components;"
Professional Services - Academic Consultants for CHE	1990.08.14	"The Board exempted Commission on Higher Education procurement of consultants for evaluations of academic programs from the requirements of the Procurement Code, provided the Commission follows procedures approved by the Division of General Services."
Commerce Dept - Marketing Donations	1991.02.12	"The Board, in accord with §11-35-710 of the Consolidated Procurement Code, granted an exemption (not including State appropriated funds) from the purchasing procedures of the expenditure of private sector donations by the Development Board used to sponsor special marketing events."
Art & Artifacts - State Museum	1991.07.17	"The Board, in accord with Code Section 11-35-710, exempted from the purchasing procedure of the Consolidated Procurement Code the following, as requested by the State Museum Commission: (a) Historical artifacts, to include both current, specific items and objects of future historical significance; (b) Scientific specimens, to include study skins, skeletal mounts, taxidermy mounts, models, fossils, rocks and minerals, and other such materials representative of, or illustrative of, the natural world; (c) Artworks, to include examples of fine art, decorative art, and folk art and craft work; (d) Collection disciplines, to include cultural history, science and technology, art and natural history; and (e) Exhibits, to include design and fabrication and specialty materials not commercially available that are used as components of exhibits."
Gifts to Gov't	1992.05.12	"The Board delegated to the Director of the Division of General Services the authority to grant exemptions from the Consolidated Procurement Code to permit agencies to accept gifts [in the form of construction] with a total value of \$100,000 or less, on the condition the five-year budgetary impact statement is positive." "
Edisto Development Authority	1992.07.01	"Except for the provisions of Subarticle 3, Article 21, Chapter 35 of Title 11, in exercising the powers authorized in this chapter the authority is exempt from Title 11 of Chapter 35."
JEDA	1992.07.01	"Notwithstanding any provision of law or regulation to the contrary, and in accordance with its own procurement procedures and regulations as approved by the Budget and Control Board, which must, at a minimum, incorporate the provisions of Sections 11-35-5210 through 11-35-5270, inclusive, acquire, purchase, hold, use, improve, manage, lease, mortgage, pledge, sell, transfer, and dispose of any property, real, personal, or mixed, or any interest in any property, or revenues of the authority, including as security for notes, bonds, evidences of indebtedness, or other obligations of the authority. Except for the provisions of Sections 11-35-5210 through 11-35-5270, inclusive, in exercising the powers authorized in this chapter the authority is exempt from Title 11, Chapter 35. The authority has no power to pledge the credit and the taxing power of the State or any of its political subdivisions."
Midlands Authority (regional development agency)	1992.07.01	"Except for the provisions of Section 11-35-5210 through 11-35-5270, inclusive, in exercising the powers authorized in this chapter the authority is exempt from Title 11, Chapter 35."

NAME	DATE	EXEMPTION TEXT
Gifts to Gov't	1993.06.16	"Each state agency and institution may accept gifts in kind for architectural and engineering services and construction of a value less than two hundred fifty thousand dollars with the approval of the Commission of Higher Education or its designated staff, the Director of the Division of General Services, and the Joint Bond Review Committee or its designated staff. No other approvals or procedural requirements, including the provisions of Section 11-35-10, may be imposed on the acceptance of such gifts." "
DSIT-Telecom Services	1993.07.14	"The Board, in accord with Code Section 11-35-710, exempted the acquisition of all local and long-distance telecommunications services for or on behalf of the State of South Carolina from the requirement that they be purchased through the respective chief procurement officer's area of responsibility and from the purchasing procedures of the Consolidated Procurement Code, until further Board action; and authorized the Division of Information Resource Management to secure such telecommunications services and equipment upon such terms and conditions as are regarded by it to be appropriate."
Licensing Exam Forms & Services (2)	1993.08.26	"The Board modified the exemption from the requirements of the Consolidated Procurement Code of printed examination forms used in the administration of state licensing examinations to read as follows: electronic and printed examination forms and their administration for State licensing examinations."
Grant Specified Procurements	1994.03.22	The Board, in accordance with Code Section 11-35-710, exempted procurements made by a requesting agency for the purchase of grant-specified and approved major equipment, subcontracts, and consultants the agency determines to be essential to the successful completion of the grant-funded project if those procurements are made in accordance with procedures approved by the Office of General Services on an agency-by-agency basis."
Interagency Agreements (2)	1994.03.22	"In accord with Section 11-35-710 of the Consolidated Procurement Code, [the Board] delegated to the Office of General Services the authority to exempt contracts between state government agencies under Section 11-35-4830 and 11-35-4840 for supplies or services provided a cost justification is submitted to the Office in advance. <i>The following types of contracts between state government agencies shall be exempt from the Consolidated Procurement Code and submission to General Services is not required: (1) agreements between state government agencies which are mandated by federal or state laws; and (2) services agreements between state government agencies for services authorized by that agency's enabling legislation as its purpose, duty, or mission.</i> "
Educational Materials Copyrighted (2)	1994.05.10	"The Board amended an existing exemption to the requirements of the Procurement Code to read as follows: The procurement of copyrighted educational films, filmstrips, slides and transparencies, CD ROM documents, data bases, computer assisted instructional materials, interactive video programs and other related materials made available by information technology that can only be obtained from the company providing the information or service." ¹
Home Health Services - DHEC	1995.01.10	"The Board, in accord with the provisions of Code Section 11-35-710, exempted the Department of Health and Environmental Control from the requirements of the Consolidated Procurement Code for all contracts for home health services, on the condition that a written certification that this exemption will not adversely affect the Medicaid reform waivers is received from the Health and Human Services Finance Commission."
Prison Industries - Sales	1995.01.12 2006.06.13	"The following exemptions are granted from this chapter: (13) the purchase of supplies, services, or information technology by state offices, departments, institutions, agencies, boards, and commissions or the political subdivisions of this State from the South Carolina Department of Corrections, Division of Prison Industries."
Home Health Agency - DHEC	1995.06.29	"The department [DHEC] may enter into public and private joint partnerships or enter into other appropriate cooperative agreements or arrangements or negotiate and effect these partnerships and agreements to include the sale of the entity and/or the transfer of licenses held by the department or its subdivisions to other qualified providers, if appropriate, when doing so would result in continued high quality patient care, continued provision of services to indigent patients, assurance of the employment of the department's home health employees, and provision of home care services adequate to meet the needs of the State. The department may facilitate the negotiation, contracting, or transfer of these activities through licensure and without requirement of a Certificate of Need as set out in Section 44-69-75 and without regard to the Procurement Code, Section 11-35-10, et. seq. However, a sale of the entity is subject to the provisions of the Procurement Code."
SUPERB Fund	1995.06.29	"Compensation from the Superb Account by an owner or operator or his agent conducting site rehabilitation through his own personnel or through contractors or subcontractors is not considered a state contract for purposes of procurement or subject to state bid requirements."
Environmental Remediation (2)	1995.10.24	"The Board, in accord with Code Section 11-35-710, exempted environmental remediation projects from the purchasing policies and procedures of the Procurement Code, provided that these contracts will be procured under the authority of and in accordance with procedures established by the Office of State Engineer with the work effort to be monitored by the State Engineer."
Hunley Commission	1996.05.16	"[W]ith respect to the Hunley project that the Hunley Commission shall be exempt from compliance with the provisions of Chapter 35 of Title 11."
Multi-State Cooperative Purchasing	1997.11.04	"The Board, in accordance with Code Section 11-35-710, granted an exemption from the Consolidated Procurement Code to allow the Office of General Services the authority to identify high volume procurement items such as office supplies, office equipment, information technology products, vehicles, petroleum products and pharmaceutical products that are used in the operation and the administration of state government which are suited for purchase pursuant to multi-state cooperative agreements and to enter into those agreements using procurement procedures appropriate for each transaction and agreeable to the participating states in those instances in which clear cost savings can be realized."
HHS - Continuum of Care & Area	1998.06.18	"The Board, in accord with Section 11-35-710 of the Consolidated Procurement Code, granted an exemption for the Department of Health and Human Services, in coordination with other appropriate agencies and organizations, for the development of a coordinated system of services, as required by Proviso 72.58 [of the 1997 Act No. 155], which provides for a continuum of long term care services for elderly individuals and their families through the distribution of applicable funds to

NAME	DATE	EXEMPTION TEXT
Agencies on Aging		Area Agencies on Aging."
Professional Services - Attorneys (2)	1999.02.09	"[A]mended the July 13, 1982, Consolidated Procurement Code exemption for legal services pursuant to Section 11-35-710 of the Code to exempt attorneys approved by the [Budget and Control] Board." ' , '3
Medical University Hospital Authority	1999.06.30	"The board, as the governing body of the authority, has the powers granted the Board of Trustees of the Medical University of South Carolina under this chapter and the following powers: (3)(a) make contracts and have, hold, purchase, and lease real estate and personal property for corporate purposes; and sell and dispose of personal property and any buildings that are considered by it as surplus property or no longer needed and any buildings that it may need to do away with for the purpose of making room for other construction. These contracts are exempt from the South Carolina Consolidated Procurement Code and Regulations, but the authority must adopt a procurement policy requiring competitive bidding for construction contracts, which must be filed with and approved by the State Budget and Control Board;"
Forestry Comm - Catalog Purchases	2000.04.11	"The Board approved an exemption from the Consolidated Procurement Code for the State Forestry Commission to procure fire equipment and related supply items from the Wildlife (sic) Protection Equipment and Supplies catalog and subsequent editions through the Cooperative Fire Program of the U.S. Forestry Service."
Counter Drug Program (1122 Program)	2000.06.21	"The Board, under the authority of Section 11-35-710 of the Consolidated Procurement Code, granted an exemption to allow all state law enforcement programs to procure law enforcement equipment and supplies for counter drug activities through Federal procurement channels under the United States Government's State and Local Law Enforcement Equipment Procurement Program created by the National Defense Authorization Act of 1994 provided, however, that the law enforcement agency must certify that the prices paid under this program are advantageous to the State."
Child Support Enforcement (2)	2001.09.17	"In accordance with South Carolina Code Section Ann. 11-35-710, the Board granted the South Carolina Department of Social Services an exemption from the purchasing procedures of the Procurement Code for those supplies, services, and information technology, as defined in Code Section Ann. 11-35-310, necessary for DSS to develop and complete a statewide automated Child Support Enforcement System (CSES) and a State Disbursement Unit (SDU). This includes exemption from the purchasing authority of the Chief Procurement Officer whose area of responsibility would cover such procurements. The exemption is available only for procurements entered into before the date the state achieves federal certification of the statewide system and final approval of the State Disbursement Unit. The exemption is granted because of the extraordinary circumstances created by the assessment of fderal penalties against the State of South Carolina. With regard to this item, Senator Leatherman asked whether the Procurement Code exemption would apply only to the Unisys litigation. Governor Hodges replied that it would apply only to the Unisys litigation matter."
Professional Services - Brokerage	2002.02.14	"Pursuant to S.C. Code Ann. Section 11-35-710, the Board may exempt governmental bodies from the purchasing procedures and reporting requirements in the Consolidated Procurement Code upon the recommendation of the Office of General Services. The Board exempted the purchase of services relating to investment counselors on July 13, 1982, and the Investment Panel and OGC recommended that the exemption be clarified to include investment management and advisory services and expanded to include brokerage services. . . . The Board approved the recommendation to exempt brokerage services and investment management and advisory services from the requirements of the Consolidated Procurement Code as recommended by the Retirement Systems Investment Panel and the Office of General Services." (emphasis added)
Research University - Economic Development Bond Act exemption	2004.03.17	"All procurements of infrastructure, as defined in Section 11-41-30 and owned by a research university, as defined in Section 11-51-30(5), shall be exempt from Title 11, Chapter 35, except that such research university must work in conjunction with the Budget and Control Board's Chief Procurement Officer to establish alternative procurement procedures. The research university shall submit its alternative procurement procedures to the State Budget and Control Board for approval. Such procurement process shall include provisions for audit and recertification."
Research University - SC Research University Infrastructure Act exemption	2004.03.17	"The research universities while engaging in projects related to this act shall be exempt from the state procurement process, except such research universities must work in conjunction with the Budget and Control Board's Chief Procurement Officer to establish alternate procurement procedures, and must submit a procurement process to the State Commission on Higher Education to be forwarded to the State Budget and Control Board for approval. These processes shall include provisions for audit and recertification."
Midlands Technical College Enterprise Authority	2004.04.26	"(B) For all matters associated with the Enterprise Campus, the authority is exempt from the South Carolina Consolidated Procurement Code, however, the authority shall adopt a procurement policy requiring competitive solicitations, and the policy must be filed with and approved by the State Budget and Control Board. The policy must include provisions for audit and recertification. (C) The authority is exempt from all regulations and general laws governing disposal of surplus government property."

NAME	DATE	EXEMPTION TEXT
Motion Pictures	2004.07.01	Upon a determination by the Director of the Office of General Services Division of the South Carolina Budget and Control Board of the underutilization of state property by a state agency, the department may negotiate below market rates for temporary use, no more than twelve months, of space for the underutilized property. The negotiations and temporary use are exempt from the provisions of the State Consolidated Procurement Code. The motion picture production company shall reimburse costs at normal and customary rates incurred by the state agency to the state agency, including costs required to repair any damage caused by the motion picture production company to real or personal property of the State.
Venture Capital Authority	2005.06.03	"The provisions of Title 11, Chapter 35 do not apply to any transaction necessary to implement this chapter."
Governor's Mansion Commission	2005.06.10	"Accept and disburse funds which must be utilized to purchase articles of historical, artistic, decorative, or intrinsic permanent value for use in the Governor's Mansion and other buildings owned by the State of South Carolina in the two blocks surrounded by Lincoln, Laurel, Gadsden, and Calhoun Streets in the City of Columbia. Because of the nature of the articles purchased, they are <i>exempt from the bidding and purchasing procedures of the Division of General Services applicable to other state agencies if they are in the categories of articles described in this item</i> . All receipts and disbursements must be made with the approval of the commission. The funds and purchases made with them and gifts made pursuant to this section are the property of the State of South Carolina." (emphasis added)
Trident Technical College Enterprise Campus Authority	2006.06.12	" (A) The authority and its permanent improvements and the financing of them are exempt from the provisions of Chapter 47 of Title 2, and the leasing of property and the granting of easements and rights of way by the authority are exempt from the provisions of Sections 1-11-55, 1-11-56, 1-11-57(1), and 10-1-130. (B) For all matters associated with the enterprise campus, the authority is exempt from the South Carolina Consolidated Procurement Code; except that, the authority shall adopt a procurement policy requiring competitive solicitations, and the policy must be filed with and approved by the State Budget and Control Board. The policy must include provisions for audit and recertification. (C) The authority is exempt from all regulations and general laws governing disposal of surplus government property."
Wind and Hail Underwriting Association	2007.06.11	"(A) The association shall operate pursuant to a plan of operation which provides for the following: (10) procedures for an open, competitive process for the acceptance and cession of reinsurance, provided that the association is not required to follow the provisions of the South Carolina Consolidated Procurement Code, and for determining the amounts of insurance to be provided to specific risks:"
Disaster Recovery (833 Program)	2007.12.11	"The Board, pursuant to South Carolina Code Section 11-35-710, granted all governmental bodies an exemption to acquire any supplies and services through appropriate federal contracts for disaster recovery purchasing through the US General Services Administration. This exemption may be used only if: (1) the products and services are not available through an existing state term contract [Section 11-35-310(35)]; (2) the acquisition complies with 48 C.F.R. Subpart 538.71 and 40 U.S.C. § 502(d); (3) the federal contract to be used has been approved and made accessible by the Materials Management Office or the Information Technology Management Office; and, (4) the products and services are to be used to facilitate recovery from either (a) a major disaster declared by the President under 42 U.S.C. 5 121 et seq., or (b) a terrorism, or nuclear, biological, chemical, or radiological attack declared a State of Emergency by the Governor. Products and services may be used to facilitate recovery only if they are necessary for and directly related to an urgent effort to return to conditions similar to those existing prior to the disaster or attack. Purchases allowed under this exemption shall not be made in advance of the disaster or attack except in limited circumstances and only if the purchase is (1) made through the Materials Management Office or the Information Technology Management Office, and (2) for a governmental body identified in the State EOP as part of one or more Emergency Support Functions, and (3) approved in advance by both the Director of the S.C. Emergency Management Division or his designee and the Materials Management Officer or his designee. Governmental bodies must endeavor to give priority to GSA contractors from or with a presence in the State of South Carolina. The Materials Management Office shall maintain a list of the approved FSS contracts. All such purchases must be reported to MMO. MMO may cancel a governmental body's authority to use this exemption.