



2023 South Dakota Legislature
Senate Concurrent Resolution 604
ENROLLED

AN ACT

A CONCURRENT RESOLUTION, Urging the United States Congress to re-introduce the Consumer and Fuel Retailer Choice Act.

WHEREAS, the Consumer and Fuel Retailer Choice Act was a piece of bipartisan legislation, co-sponsored by Senator Rounds, Senator Thune, and Representative Johnson in 2022, which would enable the year-round, nationwide sale of ethanol blends above ten percent, helping to lower fuel prices and improve stability in the U.S. fuel market; and

WHEREAS, the Consumer and Fuel Retailer Choice Act would ensure consistency and accessibility to E15 ethanol across fuel markets and limit disruptions across the national fuel supply chain by prohibiting the removal of the 1-psi waiver for E10 ethanol; and

WHEREAS, leaders across the energy and agriculture value chains are united in supporting the Consumer and Fuel Retailer Choice Act, a federal legislative solution that would apply the same volatility limit to all conventional gasoline blends during the summer ozone control season; and

WHEREAS, in the absence of such legislation, there will be gasoline marketplace uncertainty and political disputes over E15 ethanol that will continue to resurface every summer; and

WHEREAS, by acting quickly to adopt this legislation, Congress will bring certainty and consistency to the fuel market, and resolve long-standing differences among many stakeholders about fuel volatility regulations; and

WHEREAS, the absence of a federal solution could increase supply constraints, which would affect the petroleum distribution system in the state of South Dakota:

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninety-Eighth Legislature of the State of South Dakota, the House of Representatives concurring therein, that the

Legislature urges President Biden and the United States Congress to support the passage of the Consumer Fuel Retailer Choice Act to ensure affordable fuel for South Dakota families.

Adopted by the Senate,
Concurred in by the House of Representatives,

February 1, 2023
February 21, 2023

Larry Rhoden
President of the Senate

Kay Johnson
Secretary of the Senate

Hugh M. Bartels
Speaker of the House

Patricia Miller
Chief Clerk