

## 2025 South Dakota Legislature

**House Bill 1085****AMENDMENT 1085A  
FOR THE INTRODUCED BILL**

1 **An Act to establish a moratorium on the construction of carbon dioxide pipelines in**  
2 **this state and to declare an emergency.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That a NEW SECTION be added to chapter 49-41B:**

5 ~~Except as otherwise provided in this section, the~~The commission may not issue a  
6 permit to an applicant for a transmission facility intended to transport carbon dioxide  
7 unless:

8 (1) The Pipeline and Hazardous Materials Safety Administration has adopted final  
9 pipeline safety rules consistent with its proposed rulemaking designated Pipeline  
10 Safety: Safety of Carbon Dioxide and Hazardous Liquid Pipelines, Notice of  
11 Proposed Rulemaking, RIN 2137-AF60 (January 10, 2025);

12 (2) The commission has verified that the submitted application complies with the  
13 finalized rules described in subdivision (1) of this section; and

14 (3) The application complies with any other condition or requirement imposed by the  
15 commission, as necessary to preserve public safety.

16 **Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,**  
17 **health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force**  
18 **and effect from and after its passage and approval.**