

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

624Q0539

## HOUSE BILL NO. 1129

Introduced by: Representatives Nygaard, Blake, Dennert, Feickert, Gibson, Juhnke, and  
Turbiville and Senators Nesselhuf and Bradford

1 FOR AN ACT ENTITLED, An Act to require landowner participation or approval of certain  
2 agreements relating to carbon sequestration.

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

4 Section 1. No person may enter into any agreement that provides for any payment or other  
5 consideration to a land owner, lessee, or other person based on the sequestration of carbon in  
6 soil or vegetation, unless the owner of the affected land is a party to the agreement or has  
7 approved the agreement in writing. The requirements of this section apply to any agreement that  
8 covers a specific parcel of property on which carbon sequestration is the result of or is presumed  
9 to be the result of land, soil, crop, range, or forest management practices specified in the  
10 agreement or that, for the purpose of carbon sequestration, restricts any activity or practice  
11 related to the property.

