



2025 South Dakota Legislature

House Bill 1085

Introduced by: **Representative Vasgaard**

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 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.