



2025 South Dakota Legislature

House Bill 1085

HOUSE COMMERCE AND ENERGY ENGROSSED

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 The commission may not issue a permit to an applicant for a transmission facility
 6 intended to transport carbon dioxide unless:

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

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

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

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