



2025 South Dakota Legislature

House Bill 1085

HOUSE ENGROSSED

Introduced by: **Representative Vasgaard**

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

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15 **Section 2.** Section 1 of this Act is repealed upon certification by the attorney general to the
 16 South Dakota Code Commission that the proposed rules described in subdivision (1) of section
 17 1 of this Act have been finalized and adopted by the Pipeline and Hazardous Materials Safety
 18 Administration.