

2026 South Dakota Legislature

## House Bill 1103

**AMENDMENT 1103A  
FOR THE INTRODUCED BILL**

1   **An Act to require that annual withdrawal of groundwater from any groundwater**  
2   **source may not exceed the annual recharge of water to the groundwater**  
3   **source.**

4   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:**

5   **Section 1. That § 46-6-3.1 be AMENDED:**

6           **46-6-3.1.** No application to appropriate groundwater may be approved if,  
7    according to the best information reasonably available, it is probable that the quantity of  
8    water withdrawn annually from a groundwater source will exceed the quantity of the  
9    average estimated annual recharge of water to the groundwater source. ~~An application~~  
10   ~~may be approved, however, for withdrawals of groundwater from any groundwater~~  
11   ~~formation older than or stratigraphically lower than the greenhorn formation in excess of~~  
12   ~~the average estimated annual recharge for use by water distribution systems.~~

13   **Section 2. This Act is effective beginning July 1, 2027.**