

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8 water withdrawn annually from a groundwater source will exceed the quantity of the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.**