



## 2026 South Dakota Legislature

# House Bill 1299

Introduced by: **Representative Uhre-Balk**

1 **An Act to permit the use of biological filtration systems in water recreational**  
 2 **facilities located in certain lodging establishments.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That a NEW SECTION be added to chapter 34-18:**

5 A lodging establishment that has fifteen or fewer sleeping rooms may apply to the  
 6 department for a permit to use a biological filtration system to filter water in the  
 7 establishment's water recreational facility. Only an establishment that has been issued a  
 8 permit under this section may use a biological filtration system in a water recreational  
 9 facility. A permit issued under this section is valid for one year.

10 A water recreational facility that uses a biological filtration system must otherwise  
 11 meet the minimum public health and safety requirements for a water recreational facility,  
 12 established by the department pursuant to § 34-18-22.

13 When applying for a permit, an establishment shall submit to the department a  
 14 document that demonstrates how the proposed system meets water quality outcomes  
 15 established by the department.

16 A biological filtration system must be inspected by the department every year. If a  
 17 lodging establishment fails an inspection, the department must revoke the permit. An  
 18 establishment that fails an inspection may not reapply for a permit under this section for  
 19 one year.

20 The department shall promulgate rules pursuant to chapter 1-26 to establish:

- 21 (1) Application requirements for a permit to use a biological filtration system;  
 22 (2) Procedures for reapplying for a permit following a failed inspection;  
 23 (3) Requirements for the routine maintenance of a biological filtration system by a  
 24 lodging establishment;  
 25 (4) The permit fee, which may not exceed fifty dollars; and  
 26 (5) Water quality testing procedures for biological filtration systems.

1           For purposes of this section, "biological filtration system" means a system that is  
2           approved by the department and filters water using natural processes, including the use  
3           of plants, beneficial bacteria, and microbes, and does not rely on continuous chemical  
4           disinfectant residuals.