

2026 South Dakota Legislature

Senate Bill 232**AMENDMENT 232A
FOR THE INTRODUCED BILL**

1 **An Act to impose a one-year moratorium on the construction or expansion of**
2 **hyperscale data centers.**

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

4 **Section 1.** Notwithstanding any other provision of law, a moratorium is imposed
5 on any new construction or expansion of a hyperscale data center in this state. The
6 moratorium includes the expansion of any data center that is not currently a hyperscale
7 data center but, if expanded, would become a hyperscale data center.

8 The moratorium does not apply to any hyperscale data center that obtained all final
9 government approval and required permits, and executed all utility interconnection
10 agreements, before July 1, 2026.

11 The moratorium is in effect through June 30, 2027.

12 For purposes of this Act, "hyperscale data center" means a centralized repository

13 (1) ~~For~~ for the storage, management, dissemination, and processing of electronic
14 data and information; ~~and~~, which has two or more of the following:

15 (1) A size exceeding two hundred fifty thousand square feet;

16 (2) ~~Having a~~ peak electrical demand of fifty megawatts or greater;

17 (3) An artificial intelligence model training or large-scale machine learning purpose; or

18 (4) A co-location configuration with undisclosed end-users.