



2026 South Dakota Legislature  
**House Bill 1299**  
**ENROLLED**

AN ACT

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

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

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1299

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2026 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk of the House

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_ day of  
\_\_\_\_\_, A.D., 2026

Attest:

\_\_\_\_\_  
Chief Clerk of the House

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2026  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1299  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State