



2025 South Dakota Legislature

**House Bill 1239**

**ENROLLED**

AN ACT

**ENTITLED An Act to revise certain provisions related to the restriction of access to obscene materials in a public library or public school library.**

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

**Section 1. That § 22-24-55 be AMENDED:**

**22-24-55.** Each public school in the state shall:

- (1) Equip each public access computer with software that will limit minors' ability to gain access to obscene matter or materials, as defined by § 22-24-27, or purchase internet connectivity from an internet service provider that provides filter services to limit access to obscene materials; and
- (2) Develop and implement, by January 1, 2025, a local policy that establishes measures to restrict minors from accessing obscene matter or materials. The policy must allow for an individual to appeal to the school board to determine whether any matter or material is obscene. Any determination made by the school board as to whether any matter or material is obscene is subject to judicial review in a court of competent jurisdiction. The school board shall:
  - (a) Publish the policy on the school district's website; or
  - (b) Publish the policy annually in the legal newspaper designated by the school board pursuant to § 13-8-10.

**Section 2. That § 22-24-56 be AMENDED:**

**22-24-56.** Each public library in the state shall:

- (1) Equip each public access computer with software that will limit minors' ability to gain access to obscene matter or material, as defined by § 22-24-27, or purchase internet connectivity from an internet service provider that provides filter services to limit access to obscene material; and

- (2) Develop and implement, by January 1, 2025, a local policy that establishes measures to restrict minors from accessing obscene matter or materials. The policy must allow for an individual to appeal to the governing body of the public library, as defined in § 14-2-27, to determine whether any matter or material is obscene. Any determination made by the governing body as to whether any matter or material is obscene is subject to judicial review in a court of competent jurisdiction. The public library shall:
- (a) Publish the policy on the official website of the political subdivision that maintains the library; or
  - (b) Publish the policy annually in a legal newspaper designated by the governing body of the political subdivision that maintains the library pursuant to § 7-18-3 or 9-12-6.

An Act to revise certain provisions related to the restriction of access to obscene materials in a public library or public school library.

\_\_\_\_\_  
 I certify that the attached Act originated in  
 the:  
 House as Bill No. 1239

Received at this Executive Office  
 this \_\_\_\_ day of \_\_\_\_\_,  
 2025 at \_\_\_\_\_ M.

\_\_\_\_\_  
 Chief Clerk

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

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

The attached Act is hereby  
 approved this \_\_\_\_ day of  
 \_\_\_\_\_, A.D., 2025

Attest:

\_\_\_\_\_  
 Chief Clerk

\_\_\_\_\_  
 Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

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

Attest:

Filed \_\_\_\_\_, 2025  
 at \_\_\_\_\_ o'clock \_\_ M.

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

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

House Bill No. 1239  
 File No. \_\_\_\_  
 Chapter No. \_\_\_\_

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