



2026 South Dakota Legislature

House Bill 1054

Introduced by: The Chair of the Committee on Commerce and Energy at the request of the Bureau of Information and Telecommunications

1 **An Act to repeal the creation and budgeting for the Digital Dakota Network.**

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

3 **Section 1. That § 1-26D-5 be AMENDED:**

4 **1-26D-5.** The chief hearing examiner shall ~~adopt~~ promulgate rules, pursuant to
 5 chapter 1-26, for the operation of the Office of Hearing Examiners and for the procedures
 6 to be used with regard to hearing contested cases ~~and may specifically adopt~~ rules
 7 pertaining to the use of the Digital Dakota Network.

8 **Section 2. That § 1-33-38 be AMENDED:**

9 **1-33-38.** The head of the Bureau of Information and Telecommunications is the
 10 commissioner of information and telecommunications.

11 ~~The Bureau of Information and Telecommunications shall be~~ bureau is administered by the commissioner ~~of information and telecommunications~~, who shall:

12 (1) ~~Provide such assistance, under the rules and regulations as hereinafter provided in~~
 13 this section, as shall be necessary for the efficient performance of the official duties
 14 imposed upon the various departments and divisions by this code;

15 (2) ~~Employ such staff and maintain facilities as necessary to operate a local~~
 16 ~~government services program which shall provide or arrange for that arranges or~~
 17 ~~provides services for public corporations pursuant to the provisions of § 1-33-45;~~
 18 (3) Create a telecommunications network that:

19 (a) Provides cost effective services for business, education, government, and
 20 rural economic development; and

21 (b) Ensures network uses are consistent with the best interests of the state and
 22 telecommunications network users; and

1 (4) Administer policies and promulgate rules, pursuant to chapter 1-26, related to the
2 management, programming, and use of the state information network.

3 **Section 3. That § 1-33-26 be REPEALED.**

4 There is hereby created within the Bureau of Information and Telecommunications
5 an Office of Digital Dakota Network for the purposes of advising the commissioner of
6 information and telecommunications in identifying statewide video telecommunications
7 network options, creating a telecommunications network, providing cost effective services
8 for education, government, business, and rural economic development, ensuring network
9 uses are consistent with the best interests of the state and network users. The Bureau of
10 Information and Telecommunications shall establish policies and rules to implement the
11 Digital Dakota Network.

12 **Section 4. That § 1-33-30 be REPEALED.**

13 The commissioner of information and telecommunications shall be responsible for
14 administration of policies and administrative rules, and shall be responsible for network
15 use and programming.

16 The functions provided in chapter 1-33 and the rule making authority of § 1-33-
17 38, as it regards the determination of issues related to use, programming, policies, and
18 management of the network are hereby transferred to the Bureau of Information and
19 Telecommunications.

20 **Section 5. That § 1-33-32 be REPEALED.**

21 The Bureau of Information and Telecommunications shall prepare and submit
22 budgets and proposals for management of the Digital Dakota Network to the commissioner
23 of information and telecommunications.

24 **Section 6. That § 1-33-35 be REPEALED.**

25 Operation of the Digital Dakota Network including design of a video network
26 structure compatible with the existing telecommunications infrastructure, the
27 administration of a billing service system for users of the network and issues related to
28 operation of the network shall continue to be the responsibility of the Bureau of
29 Information and Telecommunications pursuant to chapter 1-33.

1 **Section 7. That § 1-33-36 be REPEALED.**

2 The Bureau of Information and Telecommunications may adopt, pursuant to
3 chapter 1-26, administrative rules regarding Digital Dakota Network operations, practices,
4 procedures, billings, fees, sites, program sources, program content, program distribution,
5 terminal sites, and any other need identified for successful operation of the Digital Dakota
6 Network.

7 **Section 8. That § 1-33-59 be REPEALED.**

8 The functions, authorities, and positions of the Office of Digital Dakota Network,
9 pursuant to chapter 1-33 are hereby transferred to the Bureau of Information and
10 Telecommunications.