



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
12 administered by the commissioner ~~of information and telecommunications~~, who shall:

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

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

19 (3) Create a telecommunications network that:

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

22 (b) Ensures network uses are consistent with the best interests of the state and
23 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 That § 1-33-26 be REPEALED.**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.~~