



## 2026 South Dakota Legislature

# House Bill 1116

Introduced by: **Representative Shubeck**

1 **An Act to prohibit a video streaming service from transmitting certain advertising**  
 2 **during children's programming and provide a penalty therefor.**

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

4 **Section 1. That a NEW SECTION be added to chapter 37-24:**

5 Terms used in section 2 of this Act mean:

6 (1) "Children's programming," any content designed for an audience of individuals  
 7 under the age of sixteen; and

8 (2) "Video streaming service," an entity that makes either of the following available  
 9 directly to the consumer through a distribution method utilizing internet protocol:

10 (a) Video programming considered comparable to programming provided by a  
 11 television broadcast station; or

12 (b) Video content the service makes available for users to view.

13 The term does not include a television broadcast station, cable operator, or other  
 14 multichannel video programming distributor, or an entity that serves video  
 15 programming or video content without commercial advertisements.

16 **Section 2. That a NEW SECTION be added to chapter 37-24:**

17 A video streaming service may not transmit during any children's programming  
 18 any commercial advertisement that discusses, promotes, or contains imagery related to:

19 (1) Abortion;

20 (2) Alcohol;

21 (3) Drugs or pharmaceutical products;

22 (4) Gambling;

23 (5) Gender identity;

24 (6) Nicotine products; or

25 (7) Sexual behavior.

1 **Section 3. That a NEW SECTION be added to chapter 37-24:**

2 The attorney general may impose a civil penalty against a video streaming service  
3 for violating section 2 of this Act. The amount of the civil penalty may not exceed five  
4 thousand dollars. The attorney general shall forward any civil penalty collected under this  
5 section to the state treasurer, for deposit in the general fund.