



## 2026 South Dakota Legislature

# House Bill 1116

HOUSE STATE AFFAIRS ENGROSSED

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 or suitable for individuals under  
 7 the age of fourteen, which is rated, or meets a rating equivalent to the following:

8 (a) TV-Y, TV-Y7, TV-G, or TV-PG, as set forth by the TV Parental Guidelines  
 9 Monitoring Board; or

10 (b) G or PG, as set forth by the Motion Picture Association; and

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

13 (a) Video programming considered comparable to programming provided by a  
 14 television broadcast station; or

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

16 The term does not include a television broadcast station, cable operator, satellite  
 17 television operator or its affiliates, or other multichannel video programming  
 18 distributor, or an entity that serves video programming or video content without  
 19 commercial advertisements.

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

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

23 (1) Abortion;

24 (2) Alcohol;

25 (3) Drugs or pharmaceutical products;

- 1        (4) Gambling;
- 2        (5) Gender transition; or
- 3        (6) Nicotine products.

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

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