



2026 South Dakota Legislature
House Bill 1038
ENROLLED

AN ACT

ENTITLED An Act to allow the Public Utilities Commission to assess actual costs to data centers that are customers of public utilities.

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

Section 1. That a NEW SECTION be added to chapter 49-34A:

The commission may assess a customer of a public utility the actual costs associated with processing a request for approval of a contract with deviations, or other electric service agreement with a public utility, related to the provision of electric service to a customer that is a data center with a peak demand of ten megawatts or greater.

The commission shall forward any moneys collected under this section to the state treasurer, for deposit in the South Dakota Public Utilities Commission gross receipts tax fund established in § 49-1A-2.

For the purposes of this section, "data center" means a centralized repository for the primary purpose of storage, management, dissemination, and processing of electronic data and information, including the mining of digital currency.

An Act to allow the Public Utilities Commission to assess actual costs to data centers that are customers of public utilities.

I certify that the attached Act originated in
the:
House as Bill No. 1038

Received at this Executive Office
this ____ day of _____,
2026 at _____ M.

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this ____ day of
_____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1038
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State