**2:01:02:03.01.  Exception from prohibition on employment or certification.** Any person ineligible under § 2:01:02:02 to be hired or certified as a result of a conviction, may not be denied employment or certification as a result of that conviction if the person, based upon a proof of innocence, received a reprieve, commutation, or pardon. This section does not prohibit the consideration of a conviction or plea in determining moral character under subdivision 2:01:02:01(4).

 **Source:** 2 SDR 37, effective November 20, 1975; 11 SDR 135, effective April 14, 1985; 12 SDR 1, effective July 17, 1985; 27 SDR 63, effective January 2, 2001.

 **General Authority:** SDCL 23-3-42.

 **Law Implemented:** SDCL 23-3-42.