**2:01:10:05.  Reasons for denial, suspension, or revocation of license.** The commission may deny, suspend, or revoke a license for any one or more of the following grounds after a hearing held in accordance with chapter 2:01:04:

(1)  Failure to inform a subject to be examined of the nature of the examination;

(2)  Failure to inform a subject to be examined that participation is voluntary;

(3)  Asking questions during a polygraph examination regarding the examinee's sexual practices; labor union, political, or religious affiliations; or marital relationship, except when such questions have a bearing on the areas or issues under examination;

(4)  Material misstatement in the application for the original license or in the application for a renewal of the license;

(5)  Willfully making a false report concerning a polygraph examination;

(6)  Conviction of a felony or of a crime involving moral turpitude, including, but not limited to, dishonesty, fraud, or unauthorized divulging or selling of information or evidence;

(7)  Making a willful misrepresentation or false promise or causing to be printed a false or misleading advertisement for the purpose of directly or indirectly obtaining business;

(8)  Having demonstrated incompetence to act as a polygraph examiner;

(9)  Allowing a license under this act to be used by an unlicensed person;

(10)  Willfully aiding or abetting another in the violation of SDCL 36-30 or this chapter;

(11)  Adjudication of mental illness;

(12)  Failure to provide information requested by the executive secretary as a result of a formal complaint in writing to the executive secretary or as a result of substantive information otherwise received by him which would indicate a violation of SDCL 36-30 or this chapter;

(13)  Failing to inform the subject of the results of the examination if so required; or

(14)  Willful disregard or violation of any of the provisions of SDCL 36-30 or this chapter.

**Source:** 11 SDR 135, effective April 14, 1985; 12 SDR 1, effective July 17, 1985.

**General Authority:** SDCL 23-3-35(13).

**Law Implemented:** SDCL 36-30-3.