**2:05:01:02.01.  Exception from prohibition on employment or certification.** Any person ineligible under § 2:05:01:02 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 2:05:01:01(4).

 **Source:** 27 SDR 63, effective January 2, 2001.

 **General Authority:** SDCL 34-45-26, 34-45-29.

 **Law Implemented:** SDCL 34-45-24.