**20:36:05:05.02.  Assurance of voluntary compliance.** The board may accept an assurance of voluntary compliance with respect to any alleged violation of this article or SDCL chapter 36-13 from any person or firm complained against. Any such assurance shall be in writing and shall be subject to the approval of the board. The assurance may include a stipulation for the voluntary payment by the alleged violator of the costs of the investigation and any amount necessary to restore to any person any money or property which may have been acquired by the alleged violator by means of any violation. Assurance of voluntary compliance shall not be considered an admission to a violation for any purpose; however, proof of failure to comply with the assurance of voluntary compliance shall be prima facie evidence of a violation of this article.

 **Source:** 6 SDR 11, effective August 14, 1979; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

 **General Authority:** SDCL 36-13-6.

 **Law Implemented:** SDCL 36-13-6, 36-13-10.