

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

848Q0218

## HOUSE BILL NO. 1149

Introduced by: Representatives Brunner, Bolin, Feickert, Jensen, Juhnke, Kirkeby, Moser, Novstrup (David), Olson (Betty), Rausch, Rave, Russell, and Verchio and Senators Howie, Abdallah, Bradford, Garnos, Novstrup (Al), Rhoden, and Schmidt

1 FOR AN ACT ENTITLED, An Act to allow a person or entity to offer postsecondary education  
2 credit in South Dakota while seeking accreditation from a recognized accrediting agency.

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

4 Section 1. That § 13-49-27.1 be amended to read as follows:

5 13-49-27.1. No person or governmental entity may offer postsecondary education credit or  
6 degree in South Dakota, or while organized under the laws of South Dakota, unless currently  
7 holding accreditation from ~~a regional~~ an accrediting agency recognized by the United States  
8 Department of Education pursuant to 20 U.S.C. § 1099b as amended to January 1, ~~2001~~ 2009,  
9 or participating in any federal financial assistance program authorized by Title IV of the Higher  
10 Education Act of 1965 as amended to January 1, ~~2001~~ 2009, or unless the person or  
11 governmental entity is, for a period of no more than five years, actively seeking accreditation  
12 from a recognized accrediting agency. A violation of this section is a Class 1 misdemeanor and  
13 subjects the violator to a civil penalty of twenty-five thousand dollars.

14 The provisions of this section do not apply to a religious institution that offers credit or



1 degree solely for the purpose of conferring status or authority within that religion.