

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

585V0424

SENATE BILL NO. 97

Introduced by: Senators Novstrup (Al), Brown, Heineman (Phyllis), Jones (Chuck), Kirkeby, Krebs, and Maher and Representatives Greenfield, Ecklund, Hawley, Hunhoff (Bernie), Kaiser, Munsterman, Schaefer, and Steele

1 FOR AN ACT ENTITLED, An Act to revoke professional or trade licensure obtained through
2 fraudulent degrees.

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

4 Section 1. That § 13-1-52 be amended to read as follows:

5 13-1-52. No person may knowingly use a false academic degree or falsely claim to have a
6 valid academic degree for the following purposes:

7 (1) To obtain employment;

8 (2) To obtain a promotion or higher compensation in employment;

9 (3) To obtain admission to postsecondary education; or

10 (4) In connection with any business, trade, profession, or occupation.

11 A violation of this section is a Class 1 misdemeanor and provides cause for the revocation
12 of any license obtained in connection with the fraudulent degree.

13 For the purposes of this section, a false academic degree is a degree document, a
14 certification of completion of a degree, coursework, or degree credit, including a transcript, that



1 provides evidence or demonstrates completion of a course of instruction or coursework that
2 results in the attainment of an associate degree or higher which is issued by a person or entity
3 that is neither currently accredited by a regional, state, or national accrediting agency recognized
4 by the United States Department of Education pursuant to 20 U.S.C. § 1099b as amended to
5 January 1, 2008, nor has the foreign equivalent of such accreditation or the legal authority from
6 a foreign country to issue degrees usable as educational credentials in the jurisdiction of issue.
7 If a degree is granted in a jurisdiction without an accreditation system, or if a degree is
8 accredited by a foreign entity and that accreditation is brought into question, that degree may
9 be evaluated based on commonly recognized industry standards used to evaluate foreign
10 academic credentials in the state.

11 The provisions of this section do not apply to any documents issued by a religious institution
12 that offers credit or degree solely for the purpose of conferring status or authority within that
13 religion.

14 Section 2. That § 13-1-53 be amended to read as follows:

15 13-1-53. No person, for the following purposes, may knowingly use any false degree,
16 certificate, diploma, transcript, or other document indicating that the person has completed an
17 organized program of study or completed courses when the person has not completed the
18 organized program of study or the courses indicated on the degree, certificate, diploma,
19 transcript, or document or falsely claim to have any valid degree, certificate, diploma, transcript,
20 or other such document:

- 21 (1) To obtain employment;
- 22 (2) To obtain a promotion or higher compensation in employment;
- 23 (3) To obtain admission to postsecondary education; or
- 24 (4) In connection with any business, trade, profession, or occupation.

- 1 A violation of this section is a Class 1 misdemeanor and provides cause for the revocation
- 2 of any license obtained in connection with the fraudulent degree.