

## AN ACT

ENTITLED, An Act to prohibit the use of a false academic degree or a degree that is not completed.

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

Section 1. No person may knowingly use a false academic degree or falsely claim to have a valid academic degree for the following purposes:

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

A violation of this section is a Class 1 misdemeanor.

For the purposes of this Act, a false academic degree is a degree document, a certification of completion of a degree, coursework, or degree credit, including a transcript, that provides evidence or demonstrates completion of a course of instruction or coursework that results in the attainment of an associate degree or higher which is issued by a person or entity that is neither currently accredited by a regional, state, or national accrediting agency recognized by the United States Department of Education pursuant to 20 U.S.C. § 1099b as amended to January 1, 2008, nor has the foreign equivalent of such accreditation or the legal authority from a foreign country to issue degrees usable as educational credentials in the jurisdiction of issue.

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

Section 2. No person, for the following purposes, may knowingly use any false degree, certificate, diploma, transcript, or other document indicating that the person has completed an organized program of study or completed courses when the person has not completed the organized program of study or the courses indicated on the degree, certificate, diploma, transcript, or document

or falsely claim to have any valid degree, certificate, diploma, transcript, or other such document:

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

A violation of this section is a Class 1 misdemeanor.

An Act to prohibit the use of a false academic degree or a degree that is not completed.

\_\_\_\_\_  
I certify that the attached Act  
originated in the

HOUSE as Bill No. 1138

\_\_\_\_\_  
Chief Clerk  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1138

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor

\_\_\_\_\_  
STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State