

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

596P0392

HOUSE JUDICIARY ENGROSSED NO. **HB 1138** 1/24/2008

Introduced by: Representatives Novstrup (Al), DeVries, Elliott, Gassman, Gosch, Hills,
Howie, McLaughlin, and Turbiville and Senators Gant and Turbak Berry

1 FOR AN ACT ENTITLED, An Act to prohibit the use of a false academic degree or a degree
2 that is not completed.

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

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

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

10 A violation of this section is a Class 1 misdemeanor.

11 For the purposes of this Act, a false academic degree is a degree document, a certification
12 of completion of a degree, coursework, or degree credit, including a transcript, that provides
13 evidence or demonstrates completion of a course of instruction or coursework that results in the
14 attainment of an associate degree or higher which is issued by a person or entity that is neither



1 currently accredited by a regional, state, or national accrediting agency recognized by the United
2 States Department of Education pursuant to 20 U.S.C. § 1099b as amended to January 1, 2008,
3 is participating in any federal financial assistance program authorized by Title IV of the Higher
4 Education Act of 1965 as amended to January 1, 2008, nor for a degree granted by an institution
5 in another country similarly recognized or accredited under the laws of that country.

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

9 Section 2. No person, for the following purposes, may knowingly use any false degree,
10 certificate, diploma, transcript, or other document indicating that the person has completed an
11 organized program of study or completed courses when the person has not completed the
12 organized program of study or the courses indicated on the degree, certificate, diploma,
13 transcript, or document or falsely claim to have any valid degree, certificate, diploma, transcript,
14 or other such document:

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

19 A violation of this section is a Class 1 misdemeanor.