



## 2022 South Dakota Legislature

# House Bill 1012

*Introduced by: The Committee on Education at the request of the Office of the Governor*

1 **An Act to protect students from critical race theory.**

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

3 **Section 1. That chapter 13-1 be amended with a NEW SECTION:**

4 An institution of higher education under the control of either the Board of Regents  
 5 or the Board of Technical Education or a state-accredited school district may not direct or  
 6 otherwise compel a student to personally affirm, adopt, or adhere to any of the following  
 7 tenets:

8 (1) That any race, color, religion, sex, ethnicity, or national origin is inherently superior  
 9 or inferior;

10 (2) That individuals should be adversely treated or feel discomfort, guilt, anguish, or  
 11 any other form of psychological distress because of their race, color, religion, sex,  
 12 ethnicity, or national origin; or

13 (3) That individuals, by virtue of race, color, religion, sex, ethnicity, or national origin,  
 14 are inherently responsible for actions committed in the past by other members of  
 15 the same race, color, religion, sex, ethnicity, or national origin.

16 **Section 2. That chapter 13-1 be amended with a NEW SECTION:**

17 An institution of higher education under the control of either the Board of Regents  
 18 or the Board of Technical Education or a state-accredited school district may not use or  
 19 introduce a course of instruction or unit of study:

20 (1) That directs or otherwise compels a student to personally affirm, adopt, or adhere  
 21 to any of the tenets identified in section 1 of this Act; or

22 (2) That results in a student being distinguished or classified on the account of race or  
 23 color.

1            Nothing in this section may be construed to prohibit the required collection or  
2            reporting of demographic data by institutions of higher education or state accredited  
3            school districts.

4            **Section 3. That chapter 13-1 be amended with a NEW SECTION:**

5            No state money may be expended for any purpose prohibited in sections 1 or 2 of  
6            this Act by any institution of higher education under the control of either the Board of  
7            Regents or the Board of Technical Education, the Department of Education or its boards,  
8            or a state-accredited school district.