

State of South Dakota

NINETY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2018

955Z0614

SENATE BILL NO. 109

Introduced by: Senators Jensen (Phil), Greenfield (Brock), Nelson, Netherton, Otten (Ernie), and Stalzer and Representatives May, Campbell, Dennert, DiSanto, Frye-Mueller, Gosch, Greenfield (Lana), Howard, Latterell, Peterson (Sue), Pischke, Rasmussen, and Zikmund

1 FOR AN ACT ENTITLED, An Act to repeal the licensing requirements for interpreters for the
2 deaf.

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

4 Section 1. That § 1-36A-10.1 be repealed.

5 ~~—1-36A-10.1. The Department of Human Services shall register and renew the registration~~
6 ~~annually of any person certified in accordance with § 1-36A-10.4 or 1-36A-10.5 who~~
7 ~~demonstrates compliance with §§ 1-36A-10.1 to 1-36A-16, inclusive, and who pays the~~
8 ~~applicable fees unless good cause exists to deny the registration.~~

9 Section 2. That § 1-36A-10.2 be repealed.

10 ~~—1-36A-10.2. For the purposes of §§ 1-36A-10.1 to 1-36A-16, inclusive, the term,~~
11 ~~interpreting, means the process of providing accessible communication between and among~~
12 ~~persons who are deaf or hard-of-hearing and those who are hearing. This process includes~~
13 ~~communication between American Sign Language and English. Interpreting may involve~~
14 ~~various other modalities that involve visual, gestural, and tactile methods.~~



1 Section 3. That § 1-36A-10.3 be repealed.

2 ~~1-36A-10.3. No person may do any of the following with respect to providing interpreting~~
3 ~~services for any person who is deaf or hard-of-hearing for a fee or other remuneration unless~~
4 ~~certified pursuant to § 1-36A-10.4 or 1-36A-10.5 and registered with the Department of Human~~
5 ~~Services:~~

6 ~~(1) Engage in the practice of, or offer to engage in the practice of, interpreting;~~

7 ~~(2) Use the title, interpreter, in connection with the person's name; or~~

8 ~~(3) Use the title, interpreter, in advertisements or descriptions.~~

9 ~~A violation of this section is a Class 2 misdemeanor.~~

10 Section 4. That §§ 1-36A-10.4 to 1-36A-16, inclusive, be repealed.