



## 2021 South Dakota Legislature

# House Bill 1077

HOUSE STATE AFFAIRS ENGROSSED

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

1 **An Act to provide for licensure by endorsement for certain licensed professionals**  
 2 **and occupations.**

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

4 **Section 1.** That a NEW SECTION be added:

5 **36-1C-1. Eligibility--Licensure by endorsement.**

6 Notwithstanding any existing provisions related to licensure by endorsement or  
 7 licensure by reciprocity in any applicable licensing statute, a licensing board shall issue a  
 8 license, certificate, registration, or permit to an applicant to allow practice in this state if,  
 9 upon application to the licensing board, the applicant satisfies all of the following  
 10 conditions:

11 (1) Holds a current license, certificate, registration, or permit from another state,  
 12 territory, or country and the licensing board determines that state's, territory's, or  
 13 country's requirements are substantially equivalent to or exceed the requirements  
 14 established in this state;

15 (2) Demonstrates competency in the profession or occupation through methods  
 16 determined by the licensing board, including having completed continuing  
 17 education or having experience in the profession or occupation for at least two of  
 18 the five years preceding the date of the application under this section;

19 (3) Has not committed any act that constitutes grounds for refusal, suspension, or  
 20 revocation of a license, certificate, registration, or permit to practice that profession  
 21 or occupation in this state unless the licensing board determines, in its discretion,  
 22 that the act should not be an impediment to the granting of a license, certificate,  
 23 registration, or permit to practice in this state;

24 (4) Is in good standing and has not been disciplined by the jurisdiction that issued the  
 25 license, certificate, registration, or permit unless the licensing board determines,

1 in its discretion, that the discipline should not be an impediment to the granting of  
2 a license, certificate, registration, or permit to practice in this state; and  
3 (5) Pays any fees established by the licensing board by rules promulgated pursuant to  
4 chapter 1-26.

5 **Section 2.** That a NEW SECTION be added:

6 **36-1C-2. Provisional license--Duration.**

7 A licensing board may issue a provisional license, certificate, registration, or permit  
8 to an applicant for licensure by endorsement while the applicant is satisfying remaining  
9 requirements for the licensure by endorsement as determined by the board. The holder of  
10 a provisional endorsement license issued under this section may practice until any of the  
11 following occurs:

- 12 (1) A license, certificate, registration, or permit is denied by the licensing board under  
13 this section;  
14 (2) The expiration of the provisional endorsement license as established by the board  
15 by regulation; or  
16 (3) The holder of the provisional endorsement license fails to comply with the terms of  
17 the provisional license.

18 **Section 3.** That a NEW SECTION be added:

19 **36-1C-3. Application of chapter.**

20 Nothing in this Act may be construed to override, supersede, or invalidate any  
21 compact or agreement already in place with regard to the regulation of any profession  
22 under title 36.

23 **Section 4.** That a NEW SECTION be added:

24 **36-1C-4. Affected professions.**

25 The provisions of this Act apply to those practitioners licensed pursuant to chapters  
26 36-4, 36-4A, 36-4B, 36-4C, 36-9, 36-9A, 36-10, 36-10B, 36-11, 36-19, 36-26, 36-27A,  
27 36-29, 36-31, 36-32, 36-33, 36-34, 36-37, 36-38, and 34-11.