



## 2023 South Dakota Legislature

# Senate Bill 76

Introduced by: **Senator Stalzer**

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 § 36-1D-1 be AMENDED:**

5 **36-1D-1.** Notwithstanding any existing provisions related to licensure by  
 6 endorsement or licensure by reciprocity in any applicable licensing statute, a licensing  
 7 board or a department secretary, if the secretary is responsible for issuing the license,  
 8 shall issue a license, certificate, registration, or permit to an applicant to allow practice in  
 9 this state if, upon application to the licensing board, the applicant satisfies all of the  
 10 following 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 or a department secretary, if the secretary is  
 17 responsible for issuing the license, ~~including having completed continuing~~  
 18 ~~education or having experience in the profession or occupation for at least two of~~  
 19 ~~the five years preceding the date of the application under this section;~~
- 20 (3) Has not committed any act that constitutes grounds for refusal, suspension, or  
 21 revocation of a license, certificate, registration, or permit to practice that profession  
 22 or occupation in this state unless the licensing board determines, in its discretion,  
 23 that the act should not be an impediment to the granting of a license, certificate,  
 24 registration, or permit to practice in this state;
- 25 (4) Is in good standing and has not been disciplined by the jurisdiction that issued the  
 26 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 § 36-1D-2 be AMENDED:**

6 **36-1D-2.** A licensing board or a department secretary, if the secretary is  
 7 responsible for issuing the license, may issue a provisional license, certificate, registration,  
 8 or permit to an applicant for licensure by endorsement while the applicant is satisfying  
 9 remaining requirements for the licensure by endorsement as determined by the board.  
 10 The holder of a provisional endorsement license issued under this section may practice  
 11 until any of the 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 § 36-1D-3 be AMENDED:**

19 **36-1D-3.** Nothing in this chapter may be construed to override, supersede, or  
 20 invalidate any compact or agreement already in place with regard to the regulation of any  
 21 profession ~~under title 36~~listed under § 36-1D-4.

22 **Section 4. That § 36-1D-4 be AMENDED:**

23 **36-1D-4.** The provisions of this chapter apply to ~~those practitioners licensed~~  
 24 ~~pursuant to chapters 36-4, 36-4A, 36-4B, 36-4C, 36-9, 36-9A, 36-9C, 36-10, 36-10B, 36-~~  
 25 ~~11, 36-19, 36-26, 36-27A, 36-29, 36-31, 36-32, 36-33, 36-34, 36-37, 36-38, and 34-11~~  
 26 any of the following:

- 27 (1) Any occupation licensed pursuant to title 36;  
 28 (2) Emergency medical technicians and emergency medical responders licensed  
 29 pursuant to chapter 34-11;  
 30 (3) Water and wastewater operators licensed pursuant to chapter 34A-3;

- 1     (4) Teachers, administrators, and other educational professionals licensed pursuant to
- 2             chapter 13-42; and
- 3     (5) Commercial pesticide applicators licensed pursuant to chapter 38-21.