



## 2025 South Dakota Legislature

# House Bill 1232

Introduced by: **Representative Schwans**

1 **An Act to modify requirements relating to the operation of salons and booths.**

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

3 **Section 1. That § 36-15-51 be AMENDED:**

4 **36-15-51.** No person may operate a salon or booth without a license. Any person  
5 who desires to operate a salon or booth where:

6 (1) All More than one of the practices of cosmetology are provided ~~shall~~, must apply  
7 to the commission for a cosmetology salon license or a cosmetology booth license,  
8 as applicable;

9 (2) Only nail technology is practiced, ~~shall~~ must apply to the commission for a nail  
10 salon or nail booth license, as applicable; and

11 (3) Only esthetics is practiced, ~~shall~~ must apply to the commission for an esthetics  
12 salon or esthetics booth license, as applicable;

13 ~~(4) Cosmetology is limited to one or a few of the practices specified in § 36-15-2, shall~~  
14 ~~apply to the commission for a limited salon or booth license. The application for a~~  
15 ~~limited license shall state the practices of cosmetology desired to be provided.~~

16 The application ~~shall~~ must be accompanied by the license fee provided for in this  
17 chapter. ~~Any~~ A salon or booth license expires annually on a date set by the commission in  
18 rules promulgated pursuant to chapter 1-26, and is renewable annually.

19 No person may practice cosmetology, nail technology, or esthetics beyond the  
20 limits specified in the license. A violation of this section is a Class 2 misdemeanor.

21 **Section 2. That a NEW SECTION be added to chapter 36-15:**

22 A person who operates a licensed salon may allow more than one licensed  
23 cosmetologist, licensed esthetician, or licensed nail technician to share a work station or  
24 other space within the salon, provided that:

1     (1) Each individual maintains the minimum equipment and sanitary requirements set  
2     forth by the commission;

3     (2) The individuals sharing the work station or space do not provide services at the  
4     work station or in the shared space at the same time; and

5     (3) If the individuals share a work station or other space within a booth, each individual  
6     possesses a booth license for the respective services that the individual will  
7     provide.

8             Nothing in this section prohibits individuals sharing a work station or other space  
9             within a salon from sharing equipment, provided that the equipment meets the minimum  
10            standards set forth by the commission.

11            If individuals are sharing a work station or other space within a salon in accordance  
12            with this section, the commission may not require additional working space other than  
13            that required for a single licensee.

14            If the commission finds, upon inspection, a violation of any provision of this chapter  
15            or rules promulgated thereunder, and the commission cannot determine which individual  
16            sharing the work station or other space committed the violation, the person operating the  
17            licensed salon is responsible for the violation.

18            If a licensed salon allows more than one nail technician to share a work station,  
19            booth, or other space within the salon, the salon must meet any additional air quality  
20            requirements imposed by the commission.