

2025 South Dakota Legislature

House Bill 1232**AMENDMENT 1232B
FOR THE INTRODUCED BILL**

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 who desires~~
5 ~~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, as~~
8 ~~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,~~
14 ~~shall 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 1. 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.~~