



2026 South Dakota Legislature

House Bill 1063

Introduced by: **Representative Schwans**

1 **An Act to establish requirements for natural hair braiding provided for**
 2 **compensation.**

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

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

5 **36-15-1.** Terms used in this chapter mean:

- 6 (1) "Apprentice," any person licensed by the commission to receive education through
 7 an apprenticeship in a salon;
- 8 (2) "Apprentice salon," any salon licensed by the commission to teach apprentices;
- 9 (3) "Booth," any part within a licensed salon that is rented or leased for the purpose
 10 of rendering licensed cosmetology services as a separate, independent salon
 11 business;
- 12 (4) "Commission," the Cosmetology Commission ~~as established and created in § 36-~~
 13 ~~15-3;~~
- 14 (5) "Cosmetologist," any person who, for compensation, engages in any of the
 15 practices of cosmetology;
- 16 (6) "Cosmetology," any one or any combination of the practices set forth in § 36-15-
 17 2;
- 18 (7) "Demonstrator," any person licensed to practice cosmetology, nail technology, or
 19 esthetics in this state, in another state, or in another country, who demonstrates
 20 the various practices of cosmetology, as applicable, in order to inform or educate
 21 other licensees or the public;
- 22 (8) "Esthetician," any person who, for compensation, engages in the practice of
 23 esthetics, but not in other practices of cosmetology;
- 24 (9) "Esthetics," any one or any combination of the practices set forth in § 36-15-2.2;
- 25 (10) "Instructor," any person who is licensed by the commission to instruct in a school
 26 or an apprentice salon and who meets the requirements set forth in § 36-15-25;

- 1 (11) "Nail technology," any one or any combination of the practices set forth in § 36-
 2 15-17.2;
- 3 (12) "Nail technician," any person who, for compensation, engages in the practice of
 4 nail technology, but not in other practices of cosmetology;
- 5 (13) ~~"Natural hair braiding," any one or any combination of the practices set forth in~~
 6 ~~§ 36-15-1.1;~~
- 7 ~~(14)~~—"Salon," any place, premise, or building or any part of a building operated for the
 8 purpose of engaging in the practice of cosmetology, nail technology, or esthetics,
 9 or any combination of these practices;
- 10 ~~(15)~~(14) "School," any place, premise, or building that is licensed by the commission to
 11 provide education to students in the practice of cosmetology, nail technology, or
 12 esthetics, or any combination of these practices;
- 13 ~~(16)~~(15) "School premises," any permanent building or other structures approved by the
 14 commission as a school campus under one school license; and
- 15 ~~(17)~~(16) "Student," any person who is licensed by the commission to receive education
 16 in a licensed school.

17 **Section 2. That § 36-15-1.1 be AMENDED:**

18 **36-15-1.1.** Natural hair braiding means a form of hair manipulation that results in
 19 tension on hair strands by beading, braiding, cornrowing, ~~extending,~~ lacing, locking,
 20 twisting, weaving, or wrapping human hair, natural fibers, or synthetic fibers, ~~or hair~~
 21 ~~extensions~~ into a variety of shapes, patterns, and textures, and maintenance thereof, by
 22 hand or with clips, combs, hairpins, or thread.

23 Natural hair braiding includes the use of ~~topical agents such as conditioners,~~ gels,
 24 moisturizers, oils, pomades, and dry shampoos.

25 Natural hair braiding does not involve the use of ~~penetrating:~~

- 26 (1) Penetrating chemical hair treatments, ~~chemical;~~
- 27 (2) Chemical hair coloring, straightening, bleaching, or joining agents, ~~chemical hair~~
 28 ~~straightening agents,~~ ~~chemical hair joining agents,~~ ~~permanent;~~
- 29 (3) Permanent wave styles, ~~or chemical hair bleaching agents applied to growing~~
 30 ~~human hair;~~
- 31 (4) Wet shampoos, conditioners, or other hair treatments; or
- 32 (5) Clippers, razors, shears, or other tools that alter the natural state of the hair.

33 **Section 3. That § 36-15-14 be AMENDED:**

1 **36-15-14.** The commission, any state or local board of health, or any officer or
2 employee thereof, may enter during the business hours of the following, any for the
3 purposes of inspection and enforcement of this chapter and rules promulgated in
4 accordance with this chapter:

5 (1) A salon or school licensed under the provisions of this chapter and any;

6 (2) Any other place where the practice of cosmetology is followed, practiced, or taught
7 for the purpose of inspection and enforcement of this chapter and the rules adopted
8 pursuant to this chapter; and

9 (3) The place of business where natural hair braiding, as defined in § 36-15-1.1, is
10 performed for compensation or any other valuable consideration.

11 **Section 4. That § 36-15-16.1 be AMENDED:**

12 **36-15-16.1.** ~~Any person engaging solely in natural hair braiding as set forth in~~
13 ~~§ 36-15-1.1 is exempt from the provisions of this chapter.~~ A natural hair braider is not
14 required to obtain a license from the commission. A natural hair braider who seeks to
15 provide the practices set forth in § 36-15-1.1 for compensation or any other valuable
16 consideration must:

17 (1) Complete a two-hour course on safety and sanitation procedures, as prescribed by
18 the commission;

19 (2) Apply to the commission for a certificate to perform natural hair braiding,
20 accompanied by a thirty-dollar fee, and display the certificate in the braider's place
21 of business; and

22 (3) Display a sales tax license from the Department of Revenue in the braider's place
23 of business.

24 The commission shall inspect, at least annually, the place of business of a natural
25 hair braider to ensure compliance with the display requirements of this section. If the
26 natural hair braider fails the inspection, the braider may not provide natural hair braiding
27 services for compensation or any other valuable consideration until a reinspection is
28 passed. The commission shall charge the same fee for a reinspection that applies to a
29 salon, as provided in § 36-15-20.

30 For purposes of this section, "natural hair braider" means a person who engages
31 only in the practices set forth in § 36-15-1.1 and not any of the practices of cosmetology.