

2026 South Dakota Legislature

House Bill 1194**AMENDMENT 1194A
FOR THE INTRODUCED BILL**

1 **An Act to require that the Cosmetology Commission credit work experience for**
2 **educational hours for certain out-of-state licensure applicants.**

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

4 **Section 1. That § 36-15-13 be AMENDED:**

5 **36-15-13.** The commission—~~may~~ shall promulgate rules, in accordance with
6 chapter 1-26, pertaining to the following:

- 7 (1) Application requirements for any license or permit, as provided for in this chapter;
- 8 (2) Examination and associated fees;
- 9 (3) Reports of a student's education and work performed;
- 10 (4) Minimum standards and requirements for a cosmetology, nail technology, and
11 esthetics salon and school;
- 12 (5) Minimum standards for plumbing, electrical, physical, and sanitary conditions for
13 the health and safety of an individual utilizing a cosmetology, nail technology, or
14 esthetics salon or school;
- 15 (6) The professional conduct of a licensee;
- 16 (7) The reinstatement of a lapsed license and lapsed renewal, as provided for in § 36-
17 15-20.1;
- 18 (8) The fee for a lapsed license and lapsed renewal, as provided for in § 36-15-20.1;
- 19 (9) The course and education requirements received by a transfer student, as provided
20 for in § 36-15-34;
- 21 (10) The textbooks, educational material, and the general course of study for a school
22 and for a cosmetology salon and nail salon having an apprentice, as provided for
23 in § 36-15-46;
- 24 (11) The progress and education received by an apprentice, as provided for in § 36-15-
25 48;
- 26 (12) The fees for all inspections, licenses, permits, and renewals;

- 1 (13) Minimum standards for the use of chemicals or any mechanical or electrical
 2 apparatus or appliance;
- 3 (14) ~~Amount of work experience of an out of state licensed applicant that may be used~~
 4 ~~as a substitute for the education requirement, as provided for in §§ 36-15-2.3, 36-~~
 5 ~~15-17, and 36-15-17.1;~~
- 6 (15) Inspection and reinspection of an individual licensee, salon, and school;
- 7 (16)(15) Inspection requested by a prospective salon or booth;
- 8 (17)(16) Administration and duties of the commission; and
- 9 (18)(17) Minimum hours of education for esthetics licensing.

10 **Section 2. That § 36-15-19.2 be AMENDED:**

11 **36-15-19.2.** The commission may waive the examination required in § 36-15-
 12 19.1, 36-15-19.3, or ~~in~~ 36-15-19.5 ~~upon~~ for an individual who holds a license to engage
 13 in the practices of cosmetology, from another state, district, territory, or foreign country,
 14 if:

15 (1) The individual:

16 (a) Submits an application made to the commission that the applicant
 17 possesses, accompanied by the fee provided for in this chapter;

18 (b) Possesses the qualifications required pursuant to § 36-15-15, and that:

19 (1) ~~The applicant holds a currently valid license issued by another state, district,~~
 20 ~~or foreign country and the;~~

21 (c) Has passed an examination acceptable to the commission in cosmetology,
 22 nail technology, or esthetics, as applicable; and

23 (d) Has passed a written examination, prescribed by the commission, on the
 24 provisions of this chapter and rules adopted pursuant to this chapter; and

25 (2) The requirements of that state, district, or foreign country, at the time of the
 26 examination required by subsection (c) of subdivision (1), were equal to or not less
 27 than those required by this state;

28 (2) ~~The applicant has passed an examination acceptable to the commission in~~
 29 ~~cosmetology, nail technology, or esthetics, as applicable;~~

30 (3) ~~The applicant shall take the prescribed written examination on the provisions of~~
 31 ~~this chapter and rules adopted pursuant to this chapter. The commission shall~~
 32 ~~determine the contents of the examination; and~~

33 (4) ~~The application is accompanied by the fee provided for in this chapter, except as~~
 34 ~~provided in section 3 of this Act.~~

1 **Section 3. That a NEW SECTION be added to chapter 36-15:**

2 If an applicant licensed by another state, district, ~~territory~~, or foreign country holds
3 a ~~cosmetology-related~~ license that is not equivalent to a cosmetology, nail technology, or
4 esthetics license in this state, the commission must allow credit for relevant work
5 experience to apply toward the hours of education required for the cosmetology, nail
6 technician, or esthetics license, as applicable.

7 The commission shall credit two hours of work experience in the applicable field as
8 one hour of school education. Only work experience that occurred after the applicant was
9 initially licensed may be credited. The work experience hours may not be credited for more
10 than half of the hours of education required for the license.

11 The applicant shall submit documentation to the commission, in the form and
12 manner required by the commission, demonstrating the relevant work experience. The
13 commission may deny the issuance of a license, regardless of the amount of work
14 experience submitted by the applicant, if the commission determines that the applicant is
15 not competent for the applicable license.

16 If the applicant obtained the work experience more than five years before the date
17 of application, the commission may require the applicant to take a commission-approved
18 safety and infection control procedures course.