



2026 South Dakota Legislature
House Bill 1194
ENROLLED

AN ACT

ENTITLED An Act to clarify authority for the Cosmetology Commission to credit work experience for educational hours for certain out-of-state licensure applicants, and to require the commission to promulgate rules therefor.

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

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

36-15-13. The commission shall promulgate rules, in accordance with chapter 1-26, pertaining to:

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

- (12) The fees for all inspections, licenses, permits, and renewals;
- (13) Minimum standards for the use of chemicals or any mechanical or electrical apparatus or appliance;
- (14) Amount of work experience an out-of-state licensed applicant may use as a substitute for the education requirement for a cosmetology, nail technician, or esthetics license;
- (15) Inspection and reinspection of an individual licensee, salon, and school;
- (16) Inspection requested by a prospective salon or booth;
- (17) Administration and duties of the commission; and
- (18) Minimum hours of education for esthetics licensing.

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

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

- (1) The individual:
 - (a) Submits an application to the commission, accompanied by the fee provided for in this chapter;
 - (b) Possesses the qualifications required pursuant to § 36-15-15;
 - (c) Has passed an examination acceptable to the commission in cosmetology, nail technology, or esthetics, as applicable; and
 - (d) Has passed a written examination, prescribed by the commission, on the provisions of this chapter and rules adopted pursuant to this chapter; and
- (2) The requirements of that state, district, or foreign country, at the time of the examination required by subsection (c) of subdivision (1), were equal to or not less than those required by this state, except as otherwise provided in this section.

The commission may issue a license to an out-of-state applicant, who holds a cosmetology-related license that is not equivalent to a cosmetology, nail technology, or esthetics license in this state, if the applicant possesses sufficient work experience to qualify for enough work experience credit to compensate for any deficiency in education hours, as set forth in rules of the commission, and otherwise meets the requirements of this section. The work experience must be relevant to the license sought by the applicant.

Section 3. No later than September 1, 2026, the Cosmetology Commission shall, pursuant to chapter 1-26, provide for and file with the secretary of state, the amendment of § 20:42:03:06.01, as set forth below:

20:42:03:06.01. Applicant for licensure by reciprocity allowed credit for work experience. An applicant for licensure by reciprocity may be allowed credit for work experience as follows:

(1) Cosmetologist license, a maximum of seven hundred fifty hours of the school education hours required in § 20:42:06:09 may be earned through work experience. Two hours of work experience equals one hour of school education. If the applicant obtained the work experience more than five years before the date of the application, the applicant must take a commission-approved safety and infection control procedures course in order to receive credit for the work experience;

(2) Nail technician license, a maximum of two hundred hours of the school education hours required in § 20:42:06:09.01 may be earned through work experience. Two hours of work experience equals one hour of school education. If the applicant obtained the work experience more than five years before the date of the application, the applicant must take a commission-approved safety and infection control procedures course in order to receive credit for the work experience; and

(3) Esthetician license, a maximum of three hundred hours of the school education hours required in § 20:42:06:09.02 may be earned through work experience. Two hours of work experience equals one hour of school education. If the applicant obtained the work experience more than five years before the date of the application, the applicant must take a commission-approved safety and infection control procedures course in order to receive credit for the work experience.

If the applicant holds a cosmetology-related license that is not equivalent to a cosmetology, nail technology, or esthetics license in this state, the commission may allow credit for relevant work experience to apply toward the hours of education in the same manner as provided in this section for the applicable license sought by the applicant.

Source: 9 SDR 96, effective January 30, 1983; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 14 SDR 64, effective November 2, 1987; 24 SDR 2, effective July 23, 1997; 28 SDR 24, effective August 28, 2001; 29 SDR 176, effective July 1, 2003; 31 SDR 62, effective November 4, 2004; 39 SDR 129, effective January 28, 2013; 47 SDR 8, effective August 3, 2020.

General Authority: SDCL 36-15-13(14).

Law Implemented: SDCL 36-15-19.2.

An Act to clarify authority for the Cosmetology Commission to credit work experience for educational hours for certain out-of-state licensure applicants, and to require the commission to promulgate rules therefor.

I certify that the attached Act originated in
the:
House as Bill No. 1194

Received at this Executive Office
this ____ day of _____,
2026 at _____ M.

Chief Clerk of the House

By _____
for the Governor

Speaker of the House

The attached Act is hereby
approved this _____ day of
_____, A.D., 2026

Attest:

Chief Clerk of the House

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2026
at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1194
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State