



2025 South Dakota Legislature

Senate Bill 80

ENROLLED

AN ACT

ENTITLED An Act to revise provisions regarding students and trainees engaged in the practice of funeral service.

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

Section 1. That § 36-19-12.1 be AMENDED:

36-19-12.1. The board shall promulgate rules, in accordance with chapter 1-26, to:

- (1) Administer, coordinate, and enforce this chapter;
- (2) Establish requirements for license application and renewal;
- (3) Establish standards of professional conduct;
- (4) Establish standards for the operation of a funeral establishment;
- (5) Establish fees for licensure application and licensure renewal, as provided for in §§ 36-19-25 and 36-19-27; and
- (6) Establish the qualifications, supervision requirements, duration, and other requirements for trainees and traineeships.

Section 2. That § 36-19-14 be AMENDED:

36-19-14. Except as otherwise provided in this section, a person may not, without being licensed as a funeral director by the board:

- (1) Embalm any dead human body;
- (2) Practice embalming;
- (3) Conduct or supervise funeral services and burials of casketed remains; or
- (4) Maintain a funeral establishment in this state.

A trainee may embalm a dead human body and practice embalming, under the supervision of a funeral director licensed by the board.

Section 3. That a NEW SECTION be added to chapter 36-19:

This chapter does not apply to a student who is:

- (1) Enrolled full-time in a program accredited by the American Board of Funeral Service Education; and
- (2) Engaged in an activity that:
 - (a) Is part of a course of that program; and
 - (b) Is directly supervised by a funeral director licensed by the board.

A student may not hold oneself out as a funeral director and may only use a title that clearly indicates status as a student. The supervising funeral director is responsible for the activities performed by the student.

Section 4. That § 36-19-21 be AMENDED:

36-19-21. The board may issue a license to practice funeral service to any person who:

- (1) Is at least eighteen years of age;
- (2) Submits an application on a form prescribed by the board;
- (3) Pays the application fee established by the board, in accordance with § 36-19-12.1;
- (4) Has completed at least ninety credit hours offered by an accredited institution of higher education and obtained a degree or a certificate from a mortuary science or funeral service program that is accredited by the American Board of Funeral Service Education;
- (5) Has completed a traineeship supervised by a person licensed pursuant to this chapter;
- (6) Has passed the national board examination, administered by the International Conference of Funeral Service Examining Board; and
- (7) Has not committed any act that constitutes a ground for denying, suspending, or revoking a license under this chapter.

An Act to revise provisions regarding students and trainees engaged in the practice of funeral service.

I certify that the attached Act originated in the:

Senate as Bill No. 80

Received at this Executive Office
this ____ day of _____,
2025 at _____ M.

Secretary of the Senate

By _____
for the Governor

President of the Senate

The attached Act is hereby
approved this ____ day of
_____, A.D., 2025

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2025
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 80

File No. _____

Chapter No. _____

By _____
Asst. Secretary of State