

# State of South Dakota

EIGHTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2014

400V0235

## HOUSE BILL NO. 1044

Introduced by: The Committee on Commerce and Energy at the request of the South Dakota  
Cosmetology Commission

1 FOR AN ACT ENTITLED, An Act to authorize limited cosmetology services outside of a  
2 licensed salon or booth.

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

4 Section 1. That § 36-15-54 be amended to read as follows:

5 36-15-54. Cosmetology, nail technology, and esthetics may only be practiced in a licensed  
6 salon or booth, ~~except as provided in this section. A demonstrator, while demonstrating under~~  
7 ~~the provisions of this chapter may practice cosmetology for compensation, fee, or any other~~  
8 ~~remuneration outside of the premises of a licensed salon. In addition, a licensee may practice~~  
9 ~~cosmetology services on persons unable to come to the salon because of imprisonment,~~  
10 ~~disabling sickness, or other disability as long as the licensee documents the service through a~~  
11 ~~salon or booth. A licensed nursing facility that permits cosmetology services only to its residents~~  
12 ~~and does not advertise as a salon is not required to have a salon license notwithstanding the~~  
13 ~~following exceptions:~~

14 (1) Demonstrations: a demonstrator may perform a demonstration of cosmetology  
15 services for compensation, fee, or any other remuneration;



- 1       (2)   Limited mobility clients: a licensee may practice cosmetology services on persons  
2            unable to come to the salon because of imprisonment, disabling sickness, or other  
3            disability so long as the licensee documents the service through a salon or booth; and
- 4       (3)   Special events: a licensee may practice limited services within the scope of the  
5            license for special events, such as weddings, fashion shows, school dances,  
6            professional photography sessions, or other events approved by the commission, so  
7            long as the licensee documents the service through a salon or booth. The limited  
8            services that may be performed at such special events are the following: the  
9            nonpermanent manipulation of the hair, such as styling, wrapping, arranging,  
10           braiding, twisting, weaving, extending, fusing, dressing, curling, setting, and  
11           straightening; the application of nail polish to the nails; and the application of  
12           makeup to the skin.

13       Section 2. That chapter 36-15 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15       Any licensed nursing facility that permits cosmetology services only to its residents and does  
16 not advertise as a salon is not required to have a salon license.