

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

400L0363

SENATE BILL NO. 68

Introduced by: The Committee on Commerce at the request of the Department of Labor

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the licensing of
2 estheticians.

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

4 Section 1. That § 36-15-2.3 be amended to read as follows:

5 36-15-2.3. Any person desiring to practice esthetics in this state as an esthetician shall apply
6 to the commission to take the esthetics examination. The application shall:

7 (1) Contain the information required by § 36-15-15;

8 (2) Contain proof that the applicant has completed ~~seven hundred fifty hours of the~~
9 required hours of education, as established by rules pursuant to § 36-15-13, or
10 equivalent credit hours in an approved and licensed cosmetology or esthetics school;
11 and

12 (3) Be accompanied by the fee required in this chapter.

13 Section 2. That § 36-15-13 be amended to read as follows:

14 36-15-13. The commission may adopt rules pursuant to chapter 1-26 pertaining to the
15 following:

16 (1) Application requirements for any license or permit issued pursuant to this chapter;



- 1 (2) Examinations;
- 2 (3) Reports of students' education and work performed;
- 3 (4) Minimum standards and requirements for cosmetology, nail technology, and esthetics
- 4 salons and schools;
- 5 (5) Minimum standards for plumbing, electrical, physical, and sanitary conditions for the
- 6 health and safety of persons utilizing cosmetology, nail technology, or esthetics
- 7 salons or schools;
- 8 (6) The professional conduct of licensees;
- 9 (7) The reinstatement of lapsed licenses and lapsed renewal pursuant to § 36-15-20.1;
- 10 (8) The fee for a lapsed license and lapsed renewal pursuant to § 36-15-20.1;
- 11 (9) The course and education requirements received by transfer students pursuant to
- 12 § 36-15-34;
- 13 (10) The textbooks, educational material, and the general course of study for schools and
- 14 for cosmetology salons and nail salons having apprentices pursuant to § 36-15-46;
- 15 (11) The progress and education received by an apprentice pursuant to 36-15-48;
- 16 (12) The fees for all licenses, permits, and renewals;
- 17 (13) Minimum standards for the use of chemicals or any mechanical or electrical
- 18 apparatus or appliance;
- 19 (14) Amount of work experience of an out-of-state licensed applicant that may be used as
- 20 a substitute for the education requirement pursuant to §§ 36-15-17, 36-15-17.1, and
- 21 36-15-2.3;
- 22 (15) Inspection and reinspection of individual licensees, salons, and schools; ~~and~~
- 23 (16) Administration and duties of the commission; and
- 24 (17) Minimum hours of education for esthetics licensing.

1 Section 3. That § 36-15-29 be amended to read as follows:

2 36-15-29. Any person desiring to conduct a cosmetology, nail technology, or esthetics
3 school for any of the practices of cosmetology, as applicable, shall apply to the commission for
4 a license. The commission shall issue the license if:

5 (1) The applicant completes the application and provides any required documentation;

6 (2) The application is accompanied by the fee required in this chapter;

7 (3) The applicant has no violations with another cosmetology board;

8 (4) The education offered is not less than twenty-one hundred hours for a cosmetology
9 program or not less than four hundred hours for a nail technician program or not less
10 than ~~seven hundred fifty hours~~ the hours established by rules pursuant to § 36-15-13

11 for an esthetician license or their respective equivalent credit hours; and

12 (5) All requirements established by rules adopted pursuant to this chapter are met.