

# State of South Dakota

NINETY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2018

400Z0303

## HOUSE BILL NO. 1087

Introduced by: Representatives York, Bartels, Carson, Clark, Dennert, Glanzer, Howard, Johns, Kaiser, Lesmeister, Livermont, Lust, Rasmussen, Reed, Smith, Steinhauer, Stevens, and Wiese and Senators Wiik, Peters, and Tapio

1 FOR AN ACT ENTITLED, An Act to allow certain students to test for cosmetologist,  
2 esthetician, and nail technician licensure.

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:

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 is enrolled in or has completed the required hours  
9 of education, as established by rules pursuant to § 36-15-13, or equivalent credit  
10 hours in an approved and licensed cosmetology or esthetics school; and

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

12 Section 2. That § 36-15-17 be amended to read:

13 36-15-17. Any person desiring to practice cosmetology in this state as a cosmetologist shall  
14 make application to the commission to take the examination. The application shall:



- 1 (1) Contain the information required pursuant to § 36-15-15;
- 2 (2) Contain information satisfactory to the commission that the applicant is enrolled in  
3 or has completed twenty-one hundred hours of education or equivalent credit hours  
4 in an approved and licensed cosmetology school, or in lieu of such education, is  
5 enrolled in or has successfully completed a course of apprenticeship in a licensed  
6 cosmetology salon as provided for in this chapter; and
- 7 (3) Be accompanied by the fee required in this chapter.

8 Section 3. That § 36-15-17.1 be amended to read:

9 36-15-17.1. Any person desiring to practice nail technology in this state as a nail technician  
10 shall apply to the commission to take the nail technician examination. The application shall:

- 11 (1) Contain the information required by § 36-15-15;
- 12 (2) Contain proof that the applicant is enrolled in or has completed four hundred hours  
13 of education or equivalent credit hours in an approved and licensed cosmetology or  
14 nail school or, in lieu of such education, is enrolled in or has successfully completed  
15 a course of apprenticeship in a licensed cosmetology salon or nail salon, as provided  
16 in § 36-15-45; and
- 17 (3) Be accompanied by the fee required in this chapter.

18 Section 4. That § 36-15-19.1 be amended to read:

19 36-15-19.1. Each applicant for a cosmetologist license who has complied with § 36-15-17,  
20 shall take the prescribed examination in the practice of cosmetology. The commission shall  
21 determine the contents of the examination. Upon successful completion of the required  
22 education, passing the examination to the satisfaction of the commission and the receipt of the  
23 fee required in this chapter, the applicant shall be licensed as a cosmetologist in the practice of  
24 cosmetology. Any cosmetologist license issued by the commission pursuant to this chapter

1 expires annually on a date set by the commission in rules promulgated pursuant to chapter 1-26,  
2 and is renewable annually.

3 Section 5. That § 36-15-19.3 be amended to read:

4 36-15-19.3. Each applicant for a nail technician license who has complied with § 36-15-17.1  
5 shall take the prescribed examination in the practice of nail technology. The commission shall  
6 determine the contents of the examination. Upon successful completion of the required  
7 education, passing the examination to the satisfaction of the commission and the receipt of the  
8 fee required in this chapter, the applicant shall be licensed as a nail technician. Any nail  
9 technician license issued by the commission pursuant to this chapter expires annually on a date  
10 set by the commission in rules promulgated pursuant to chapter 1-26, and is renewable annually.

11 Section 6. That § 36-15-19.5 be amended to read:

12 36-15-19.5. Each applicant for an esthetician license who has complied with § 36-15-2.3  
13 shall take the prescribed examination in the practice of esthetics. The commission shall  
14 determine the contents of the examination. Upon successful completion of the required  
15 education, passing the examination to the satisfaction of the commission and the receipt of the  
16 fee required in this chapter, the applicant shall be licensed as an esthetician in the practice of  
17 esthetics. Any esthetician license issued by the commission pursuant to this chapter expires  
18 annually on a date set by the commission in rules promulgated pursuant to chapter 1-26, and is  
19 renewable annually.