

# State of South Dakota

EIGHTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2013

625U0681

## HOUSE BILL NO. 1240

Introduced by: Representatives Hawks, Erickson, Gibson, Hajek, Magstadt, May, Rasmussen, Rozum, Soli, Steele, Tyler, and Wick and Senators Buhl and Frerichs

1 FOR AN ACT ENTITLED, An Act to provide for the practice of cosmetology services in  
2 certain venues outside of a licensed salon.

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. A licensee may practice  
13 cosmetology, nail technology, and esthetic services at a customer's private residence, place of  
14 business, hotel or motel room, or other venue the customer keeps, maintains, or controls if the



- 1 licensee maintains, at a licensed salon, a complete record of any such services provided
- 2 including the date, time, and place the services were performed and the fee charged.