



2023 South Dakota Legislature
Senate Bill 76
ENROLLED

AN ACT

ENTITLED An Act to provide for licensure by endorsement for certain licensed professionals and occupations.

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

Section 1. That § 36-1D-1 be AMENDED:

36-1D-1. Notwithstanding any existing provisions related to licensure by endorsement or licensure by reciprocity in any applicable licensing statute, a licensing board or a department secretary, if the secretary is responsible for issuing the license, shall issue a license, certificate, registration, or permit to an applicant to allow practice in this state if, upon application to the licensing board, the applicant satisfies all of the following conditions:

- (1) Holds a current license, certificate, registration, or permit from another state, territory, or country and the licensing board determines that state's, territory's, or country's requirements are substantially equivalent to or exceed the requirements established in this state;
- (2) Demonstrates competency in the profession or occupation through methods determined by the licensing board or a department secretary, if the secretary is responsible for issuing the license;
- (3) Has not committed any act that constitutes grounds for refusal, suspension, or revocation of a license, certificate, registration, or permit to practice that profession or occupation in this state unless the licensing board determines, in its discretion, that the act should not be an impediment to the granting of a license, certificate, registration, or permit to practice in this state;
- (4) Is in good standing and has not been disciplined by the jurisdiction that issued the license, certificate, registration, or permit unless the licensing board determines, in its discretion, that the discipline should not be an impediment to the granting of a license, certificate, registration, or permit to practice in this state; and

- (5) Pays any fees established by the licensing board by rules promulgated pursuant to chapter 1-26.

Section 2. That § 36-1D-2 be AMENDED:

36-1D-2. A licensing board or a department secretary, if the secretary is responsible for issuing the license, may issue a provisional license, certificate, registration, or permit to an applicant for licensure by endorsement while the applicant is satisfying remaining requirements for the licensure by endorsement as determined by the board. The holder of a provisional endorsement license issued under this section may practice until any of the following occurs:

- (1) A license, certificate, registration, or permit is denied by the licensing board under this section;
- (2) The expiration of the provisional endorsement license as established by the board by regulation; or
- (3) The holder of the provisional endorsement license fails to comply with the terms of the provisional license.

Section 3. That § 36-1D-3 be AMENDED:

36-1D-3. Nothing in this chapter may be construed to override, supersede, or invalidate any compact or agreement already in place with regard to the regulation of any profession listed under § 36-1D-4.

Section 4. That § 36-1D-4 be AMENDED:

36-1D-4. The provisions of this chapter apply to any of the following:

- (1) Any occupation licensed pursuant to title 36;
- (2) Emergency medical technicians and emergency medical responders licensed pursuant to chapter 34-11;
- (3) Water and wastewater operators licensed pursuant to chapter 34A-3;
- (4) Teachers, administrators, and other educational professionals licensed pursuant to chapter 13-42; and
- (5) Commercial pesticide applicators licensed pursuant to chapter 38-21.

An Act to provide for licensure by endorsement for certain licensed professionals and occupations.

I certify that the attached Act originated in
the:
Senate as Bill No. 76

Received at this Executive Office
this ____ day of _____,
2023 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., 2023

Attest:

Secretary of the Senate

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

Speaker of the House

Attest:

Filed _____, 2023
at _____ o'clock __ M.

Chief Clerk

Secretary of State

Senate Bill No. 76
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State