



2021 South Dakota Legislature

House Bill 1258

Introduced by: **Representative Perry**

1 **An Act to revise certain provisions regarding cosmetology apprentice programs.**

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

3 **Section 1.** That § 36-15-42 be AMENDED.

4 **36-15-42. Apprentice license required for apprenticeship--Requirements**
5 **and term of license.**

6 A person may receive apprenticeship education in cosmetology, esthetics, and nail
7 technology. However, no person may receive apprenticeship education unless that person
8 is licensed as an apprentice. Any person may apply to the commission to be licensed as
9 an apprentice if the applicant:

- 10 (1) Submits evidence satisfactory to the commission that the applicant possesses those
11 qualifications, except for age, required pursuant to § 36-15-15;
12 (2) Is at least seventeen years of age or older; and
13 (3) The cosmetology, esthetics, or nail salon in which the apprentice will receive
14 education is currently licensed as an apprentice salon and is adequately equipped
15 to teach the profession of cosmetology, esthetics, or nail technology, as applicable.

16 Any apprentice license issued pursuant to this chapter is valid for the full period of the
17 apprenticeship as defined in § 36-15-45 and is not renewable. The application shall be
18 accompanied by the fee required in this chapter.

19 **Section 2.** That § 36-15-44 be AMENDED.

20 **36-15-44. Maximum number of apprentices in salon.**

21 An apprentice salon may have up to ~~four~~ eight apprentices not to exceed two
22 apprentices per instructor during any one period of time.

23 **Section 3.** That § 36-15-45 be AMENDED.

1 **36-15-45. Required period of apprenticeship--Transfer to another salon--**
2 **Break in apprenticeship period.**

3 A licensed apprentice in cosmetology shall receive education in the practice of
4 cosmetology as required by this chapter in the same cosmetology salon for two thousand
5 one hundred fifty consecutive hours. A licensed apprentice in esthetics shall receive
6 education in the practice of esthetics as required by this chapter for nine hundred
7 consecutive hours. A licensed apprentice in nail technology shall receive education in the
8 practice of nail technology as required by this chapter for nine hundred consecutive hours
9 in the same cosmetology salon or nail salon. The commission may permit an apprentice
10 to transfer to another cosmetology salon or nail salon, as applicable, for completion of the
11 apprenticeship if the apprentice applies for the transfer in writing to the commission and
12 shows good cause for the request. The commission may permit a break in the consecutive
13 period of the apprenticeship if the apprentice applies for the break in writing to the
14 commission and shows good cause for the request. The commission shall define good
15 cause by rules promulgated pursuant to chapter 1-26.

16 **Section 4.** That § 36-15-47 be AMENDED.

17 **36-15-47. Apprentice to practice in licensed salon--Supervision and time**
18 **required for study and practice.**

19 Any apprentice licensed pursuant to this chapter may practice cosmetology if the
20 practice is performed only in a cosmetology salon or nail salon, as applicable, licensed
21 pursuant to this chapter; the apprentice is under the constant supervision, control, and
22 direction of a licensed instructor at all times; and the apprentice is actually engaged in the
23 study and practice of cosmetology, esthetics, or nail technology at least forty hours a
24 week.