

Meeting Minutes
SOUTH DAKOTA COSMETOLOGY COMMISSION
via Microsoft Teams or Call: +1 605.679.7263
Monday, September 30, 2024, 12:30 p.m. CDT

The meeting was called to order at 12:30 p.m. CDT. Renee Graf called the roll. A quorum was present.

Members Present: Renee Graf
Jason Pettigrew
Karma Sanner
Trish Bates

Members Absent: Kathy Hofer

Others Present: Tyler Evins, Program Director
Gerald McCabe, Division Director
Savannah Thorne
Joe Thorne
Camille Brokloff
Kristi Adams
Aimee Shriver
Angela Taylor
Peggy Sproat
Angela Larson

Karma Sanner made a motion to add an additional agenda item to the meeting agenda, concerning dermaplaning. Jason Pettigrew (Pettigrew) seconded the motion. **MOTION PASSED.**

Sanner made a motion to approve the agenda. Trish Bates seconded the motion. **MOTION PASSED.**

Renee Graf (Graf) yielded the chair to Tyler Evins. Evins accepted nominations for the office of President. Sanner nominated Graf for the office of President. Graf accepted the nomination. Evins called for a voice vote. The ayes were four, the nays were zero. Graf was elected President.

Evins yielded the chair to Graf. Graf accepted nominations for the office of Vice President. Sanner nominated Bates for the office of Vice President. Bates accepted the nomination. Graf called for a voice vote. The ayes were four, the nays were zero. Bates was elected Vice President.

Graf accepted nominations for the office of Secretary/Treasurer. Bates nominated Sanner for the office of Secretary/Treasurer. Sanner accepted the nomination. Graf called for a voice vote. The ayes were four, the nays were zero. Sanner was elected Secretary/Treasurer.

Bates made a motion to approve the June 6, 2024, meeting minutes. Sanner seconded the motion. **MOTION PASSED.**

Sanner reported that the cash center balance was \$150,724.99.

Evins reported that the Department is exploring legislation to raise fees to meet the Commission's operating expenses better.

During the public comment period, the following comments were made:

Camille Brockhoff shared her opinion on several services that are currently prohibited by the laws and rules governing the practices of cosmetology and esthetics. Some of the procedures referenced were dermaplaning and microneedling.

Taylor Hornig stated she was an apprentice at Lash Spa Boutique, owned and operated by Savannah Thorne. In reference to the consent agreement that would be discussed during agenda item I, Hornig offered her testimony if the Commission had questions for her.

Thorne identified herself as the owner and operator of Lash Spa Boutique (salon). Thorne stated that she had multiple apprentices graduate from her salon and find employment. Thorne stated she felt there was confusion regarding apprenticeship regulations.

Joe Thorne stated he is the husband of Savannah Thorne. Mr. Thorne stated the salon had passed all previous inspections before the failed January inspection. Mr. Thorne expressed there should be more clarity about the regulation of apprentice salons.

Kristi Adams stated that she was the apprentice who performed services without instructor supervision as mentioned in the consent agreement. Kristi offered her testimony during agenda item I.

Sherri Kanzenbach stated she is a business owner in Sioux Falls and shared her opinion that inspectors should receive ongoing continuing education about new products and services in the cosmetology industry and how they relate to the scope of practices for cosmetologists and estheticians. Kanzenbach also shared she felt there should be a second tier for esthetics in South Dakota.

Michele Henry, franchise owner of Face Foundrie in Sioux Falls, expressed her opinion that regulations should be more consistent across state lines.

Angela Larson expressed her support for a second tier for esthetics.

The Commission reviewed the consent agreement concerning Case No. 01-2024, against Thorne. The consent agreement is available in the public packet. Evins informed the Commission that Thorne requested to withdraw from the signed agreement.

Sanner made a motion to approve consent agreement 01-2024. Pettigrew seconded the motion. **MOTION PASSED.**

The Commission discussed the current requirements for instructor continuing education, and if additional requirements should be implemented. The topic was referred to committee for further discussion.

The Commission discussed reinstating the state laws and rules examination as a requirement for licensure for South Dakota students. Currently, reciprocity applicants must complete this examination, and South Dakota students previously completed this examination.

Pettigrew made a motion to reinstate the state laws and rules examination as a licensure requirement for graduating students effective January 1, 2025. Sanner seconded the motion. **MOTION PASSED.**

The Commission discussed plans for visiting schools and apprentice salons over the course of 2025.

The Commission discussed the dermaplaning procedure, and if additional certification should be required to perform the service. The topic was referred to committee for further discussion.

Evins will send out meeting dates for 2025.

Sanner made a motion to adjourn the meeting. Pettigrew seconded the motion. **MOTION PASSED.**

The meeting adjourned at 1:44 p.m. CDT.

DRAFT

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 10/31/2024

AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1033 COSMETOLOGY COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	103300061806	1140000	167,539.46	DR	COSMETOLOGY COMMISSION
COMPANY/SOURCE TOTAL 6503 618			167,539.46	DR *	
COMP/BUDG UNIT TOTAL 6503 1033			167,539.46	DR **	
BUDGET UNIT TOTAL 1033			167,539.46	DR ***	

STATE OF SOUTH DAKOTA
 MONTHLY EXPENDITURE REPORT
 FOR PERIOD ENDING: 10/31/2024

AGENCY 10 LABOR & REGULATION
 BUDGET UNIT 1033 COSMETOLOGY COMMISSION - INFO
 CENTER-5 10330 COSMETOLOGY COMMISSION

COMP	CENTER	ACCOUNT	DOCUMENT NUMBER	POSTING DATE	JV APPVL #, OR PAYMENT #	SHORT NAME	VENDOR NUMBER	VENDOR GROUP	AMOUNT	DR/ CR
COMPANY NO		6503								
COMPANY NAME		PROFESSIONAL & LICENSING BOARDS								
6503	103300061806	51010100	CGEX240926	10/02/2024					6,553.03	DR
6503	103300061806	51010100	CGEX241011	10/16/2024					6,647.10	DR
OBJSUB: 5101010		F-T EMP SAL & WAGES								
6503	103300061806	51010200	CGEX240926	10/02/2024					13,200.13	DR *
6503	103300061806	51010200	CGEX241011	10/16/2024					3,022.24	DR
OBJSUB: 5101020		P-T/TEMP EMP SAL & WAGES								
6503	103300061806	51010300	CGEX241011	10/16/2024					6,508.53	DR *
OBJSUB: 5101030		BOARD & COMM MBRS FEES								
OBJECT: 5101		EMPLOYEE SALARIES								
6503	103300061806	51020100	CGEX240926	10/02/2024					664.00	DR *
6503	103300061806	51020100	CGEX241011	10/16/2024					3,022.24	DR **
OBJSUB: 5102010		OASI-EMPLOYER'S SHARE								
6503	103300061806	51020200	CGEX240926	10/02/2024					722.93	DR
6503	103300061806	51020200	CGEX241011	10/16/2024					815.15	DR
OBJSUB: 5102020		RETIREMENT-ER SHARE								
6503	103300061806	51020600	CGEX240926	10/02/2024					1,538.08	DR *
6503	103300061806	51020600	CGEX241011	10/16/2024					393.19	DR
OBJSUB: 5102060		HEALTH/LIFE INS.-ER SHARE								
6503	103300061806	51020800	CGEX240926	10/02/2024					791.99	DR *
6503	103300061806	51020800	CGEX241011	10/16/2024					1,407.10	DR
OBJSUB: 5102080		WORKER'S COMPENSATION								
6503	103300061806	51020900	CGEX240926	10/02/2024					1,420.88	DR
6503	103300061806	51020900	CGEX241011	10/16/2024					17.26	DR
OBJSUB: 5102090		UNEMPLOYMENT COMPENSATION								
OBJECT: 5102		EMPLOYEE BENEFITS								
GROUP: 51		PERSONAL SERVICES								
6503	103300061806	52030100	MP508050	10/09/2024					33.48	DR *
6503	103300061806	52030100	MP509053	11/01/2024					1.62	DR
OBJSUB: 5203010		AUTO-STATE OWNED-IN STATE								
OBJECT: 5203		TRAVEL								
6503	103300061806	52041800	DP509100	10/25/2024					1.63	DR
OBJSUB: 5204180		COMPUTER SERVICES-STATE								
6503	103300061806	52042000	PL509056	10/09/2024					3.25	DR *
6503	103300061806	52042000	PM509045	11/01/2024					5,194.78	DR **
6503	103300061806	52042000	RM509051	10/09/2024					25,567.44	DR ***
OBJSUB: 5204200		COMPUTER SERVICES-STATE								
6503	103300061806	52042000	PL509056	10/09/2024					1,386.00	DR
6503	103300061806	52042000	PM509045	11/01/2024					902.80	DR
6503	103300061806	52042000	RM509051	10/09/2024					2,288.80	DR *
OBJSUB: 5204200		COMPUTER SERVICES-STATE								
6503	103300061806	52042000	PL509056	10/09/2024					2,288.80	DR **
6503	103300061806	52042000	PM509045	11/01/2024					2,121.70	DR
6503	103300061806	52042000	RM509051	10/09/2024					2,121.70	DR *
OBJSUB: 5204200		COMPUTER SERVICES-STATE								
6503	103300061806	52042000	PL509056	10/09/2024					120.16	DR
6503	103300061806	52042000	PM509045	11/01/2024					5.99	DR
6503	103300061806	52042000	RM509051	10/09/2024					39.35	DR

STATE OF SOUTH DAKOTA
 MONTHLY EXPENDITURE REPORT
 FOR PERIOD ENDING: 10/31/2024

AGENCY 10 LABOR & REGULATION
 BUDGET UNIT 1033 COSMETOLOGY COMMISSION - INFO
 CENTER-5 10330 COSMETOLOGY COMMISSION

COMP	CENTER	ACCOUNT	DOCUMENT NUMBER	POSTING DATE	JV APPVL #, OR PAYMENT #	SHORT NAME	VENDOR NUMBER	VENDOR GROUP	AMOUNT	DR/ CR
		OBJSUB: 5204200	CENTRAL SERVICES							
6503	103300061806	52042300	0968874	10/02/2024	02572696	SERVALLUNI	12049672		165.50	DR *
6503	103300061806	52042300	0979760	11/01/2024	691770	SERVALLUNI	12049672		2.85	DR
		OBJSUB: 5204230	JANITORIAL & MAINT SERV							
6503	103300061806	52043300	E0153-036	11/01/2024					5.70	DR *
		OBJSUB: 5204330	COMPUTER SOFTWARE LEASE							
6503	103300061806	52045300	TL508053	10/02/2024					398.76	DR *
6503	103300061806	52045300	TL509052	10/23/2024					176.50	DR
6503	103300061806	52045300	8381416X09242024	10/09/2024	00074874	ATMOBILIT	12279233		176.50	DR
		OBJSUB: 5204530	TELECOMMUNICATIONS SRVCS							
6503	103300061806	52047400	D105CC004	10/11/2024	F25877				457.96	DR *
6503	103300061806	52047400	D105CC004	10/11/2024	F25877				534.57	DR
6503	103300061806	52047400	D105CC004	10/11/2024	F25877				534.57	CR
		OBJSUB: 5204740	BANK FEES AND CHARGES							
6503	103300061806	52049600	1240	10/11/2024	02574778	TIGERSFIRE	12701169		534.57	DR *
		OBJSUB: 5204960	OTHER CONTRACTUAL SERVICE							
		OBJECT: 5204	CONTRACTUAL SERVICES							
6503	103300061806	52050200	IN4649372	10/09/2024	02573992	INNOVATIVE	12550348		13.53	DR *
6503	103300061806	52050200	0500609	10/18/2024	00936980	HPINC	12125515	11	3,697.72	DR **
6503	103300061806	52050200	14901	10/23/2024	00937431	SIIOUXFALLS	12036365		290.80	DR
6503	103300061806	52050200	18382 OCT24	10/18/2024	00936918	INMANSWATE	12044712		14.01	DR
		OBJSUB: 5205020	OFFICE SUPPLIES							
6503	103300061806	52053500	MS509046	10/23/2024					70.25	DR
		OBJSUB: 5205350	POSTAGE							
		OBJECT: 5205	SUPPLIES & MATERIALS							
6503	103300061806	5228000	T105-016	10/09/2024					18.08	DR
6503	103300061806	5228000	T105-026	11/01/2024					393.14	DR *
		OBJSUB: 5228000	OPER TRANS OUT -NON BUDGT							
		OBJECT: 5228	NONOP EXP/NONBGTD OP TR							
		GROUP: 52	OPERATING EXPENSES							
		COMP: 6503								
		CNTR: 103300061806								
		B. UNIT: 1033								
									452.90	DR
									452.90	DR *
									846.04	DR **
									1,805.99	DR
									527.08	DR
									2,333.07	DR *
									2,333.07	DR **
									9,165.63	DR ***
									34,733.07	DR ****
									34,733.07	DR *****
									34,733.07	DR *****

2025 South Dakota Legislature

Draft 196

Requested by: at the request of the Department of Labor and Regulation

1 **An Act to revise provisions relating to licensing fees for cosmetology, esthetics, and**
 2 **nail technology.**

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

4 **Section 1. That § 36-15-13 be AMENDED:**

5 **36-15-13.** The commission may ~~adopt~~ promulgate rules ~~pursuant to,~~ in
 6 accordance with chapter 1-26, pertaining to the following:

- 7 (1) Application requirements for any license or permit ~~issued pursuant to,~~ as provided
 8 for in this chapter;
- 9 (2) ~~Examinations~~ Examination and associated fees;
- 10 (3) Reports of ~~students'~~ a student's education and work performed;
- 11 (4) Minimum standards and requirements for ~~a~~ cosmetology, nail technology, and
 12 esthetics ~~salons~~ salon and ~~schools~~ school;
- 13 (5) Minimum standards for plumbing, electrical, physical, and sanitary conditions for
 14 the health and safety of ~~persons~~ an individual utilizing ~~a~~ cosmetology, nail
 15 technology, or esthetics ~~salons~~ salon or ~~schools~~ school;
- 16 (6) The professional conduct of ~~licensees~~ a licensee;
- 17 (7) The reinstatement of ~~a lapsed license~~ license and lapsed renewal ~~pursuant to,~~ as
 18 provided for in § 36-15-20.1;
- 19 (8) The fee for ~~a lapsed license and lapsed renewal~~ pursuant to, as provided for in
 20 § 36-15-20.1;
- 21 (9) The course and education requirements received by ~~a transfer student~~ pursuant
 22 to student, as provided for in § 36-15-34;
- 23 (10) The textbooks, educational material, and the general course of study for ~~schools~~ a
 24 school and for ~~a~~ cosmetology ~~salons~~ salon and nail ~~salons~~ salon having apprentices
 25 pursuant to an apprentice, as provided for in § 36-15-46;
- 26 (11) The progress and education received by an apprentice ~~pursuant to,~~ as provided for
 27 in § 36-15-48;
- 28 (12) The fees for all inspections, licenses, permits, and renewals;

- 1 (13) Minimum standards for the use of chemicals or any mechanical or electrical
2 apparatus or appliance;
- 3 (14) Amount of work experience of an out-of-state licensed applicant that may be used
4 as a substitute for the education requirement ~~pursuant to §§, as provided for in §§~~
5 36-15-2.3, 36-15-17, and 36-15-17.1, and 36-15-2.3;
- 6 (15) Inspection and reinspection of an individual licensee, licensee, salons, salon, and
7 schools, school;
- 8 (16) Inspection requested by a prospective salon or booth;
- 9 (17) Administration and duties of the commission; and
- 10 ~~(17)~~(18) Minimum hours of education for esthetics licensing.

11 **Section 2. That § 36-15-20 be AMENDED:**

12 **36-15-20.** The following fees promulgated in rules by the commission pursuant to
13 chapter 1-26 for all examinations, licenses, permits, and renewals required by this chapter
14 may not exceed the following maximums amounts specified below:

- 15 (1) Examination ~~fee which includes the and~~ initial license fee, one hundred one
16 hundred twenty-five dollars;
- 17 (2) Examination retake fee, ~~one test, sixty dollars; two tests, seventy dollars; three~~
18 ~~tests, eighty ninety~~ dollars per examination;
- 19 (3) Cosmetologist, nail technician, or esthetician license renewal fee, ~~twenty five~~ fifty
20 dollars;
- 21 (4) Temporary cosmetologist, nail technician, or esthetician license fee, six dollars;
- 22 (5) Instructor initial license fee and license renewal fee, ~~thirty five~~ fifty dollars;
- 23 (6) Reciprocity, initial license, and waiver of examination fee, one hundred twenty-five
24 dollars;
- 25 ~~For certification~~ Fee for a certification of a license issued under this chapter for a
26 South Dakota licensee to obtain licensure in another state, or furnishing of other
27 papers to another state or school, ~~twenty~~ forty dollars;
- 28 (8) Apprentice license fee, ~~twenty five~~ thirty dollars;
- 29 (9) Apprentice salon initial license and renewal fee, ~~two hundred fifty~~ three hundred
30 dollars;
- 31 (10) School initial license fee and renewal fee, three hundred fifty dollars;
- 32 (11) Student license fee, ~~six~~ fifteen dollars;
- 33 (12) Salon or booth initial permit license fee, ~~sixty~~ eighty dollars;
- 34 (13) Salon or booth license renewal fee, ~~forty~~ sixty dollars;

- 1 (14) Reinspection fee for failed salon, fifty seventy-five dollars for each reinspection;
2 (15) License duplicate or replacement fee, five fifteen dollars; and
3 (16) Fee for the inspection of a prospective salon or booth at the request of the
4 prospective applicant, seventy-five dollars per inspection.

5 Any license, permit, or renewal fee ~~which is~~ collected by the commission ~~shall be~~
6 is the same for each respective license, permit, or renewal, regardless of the time
7 remaining before the expiration date.

8 **Section 3. That § 36-15-20.1 be AMENDED:**

9 **36-15-20.1.** The commission shall promulgate ~~reasonable rules pursuant to, in~~
10 accordance with chapter 1-26, concerning the reinstatement of ~~a lapsed license~~ license
11 and a lapsed renewal required by renewal, as provided for in this chapter. The
12 commission shall ~~by rules promulgated pursuant to~~ promulgate rules, in accordance with
13 chapter 1-26, to establish the a fee, which that may not be no greater than ~~twenty five~~
14 forty dollars for each year that the license or renewal has lapsed. The commission shall
15 also collect the fee for the license and renewal, ~~as otherwise required by~~ provided for in
16 this chapter.