



2025 South Dakota Legislature
House Bill 1015
ENROLLED

AN ACT

ENTITLED An Act to increase licensure fees related to the practice of funeral service and cremation.

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

Section 1. That § 36-19-25 be AMENDED:

36-19-25. A license to practice funeral service must be renewed annually. The board shall, by rule promulgated in accordance with chapter 1-26, establish the renewal fee, which may not exceed two hundred twenty-five dollars.

Section 2. That § 36-19-27 be AMENDED:

36-19-27. An application for a license to operate a funeral establishment is required for each location. The application must be on a form provided by the board and accompanied by an application fee.

The board shall, by rule promulgated in accordance with chapter 1-26, establish the application fee, which may not exceed three hundred fifty dollars.

The board may inspect the funeral establishment to verify compliance with state law and rules of the board.

The application for a license to operate a funeral establishment must include the name of the individual who is licensed under this chapter and responsible for managing all transactions conducted and services performed.

Section 3. That § 36-19-37 be AMENDED:

36-19-37. Each license issued under this chapter expires on the following December thirty-first.

Each application for renewal must be submitted to the board during the month of December and must be accompanied by a renewal fee. The board shall promulgate rules,

in accordance with chapter 1-26, to establish the amount of the fee, which may not exceed three hundred fifty dollars.

Section 4. That § 34-26A-4.1 be AMENDED:

34-26A-4.1. Each crematory in this state must be licensed by the State Board of Funeral Service. To obtain licensure for a crematory, a person must:

- (1) Submit an application to the board, at the time and in the manner required by the board;
- (2) Identify, on the application, all certified crematory operators employed at the crematory;
- (3) Provide evidence that a motorized or mechanical device is available for the processing of cremated remains; and
- (4) Provide evidence that a refrigerated facility is available for the retention of decedents awaiting cremation.

Upon approval of an application, the board shall require that the applicant pay an initial licensure fee in an amount not exceeding three hundred fifty dollars.

Section 5. That § 34-26A-4.2 be AMENDED:

34-26A-4.2. Licensure as a crematory, issued in accordance with § 34-26A-4.1, expires one year after the date of issuance and must be renewed annually, at the time and in the manner determined by the State Board of Funeral Service. The board may inspect any crematory, during regular business hours, to verify compliance with applicable laws and rules and shall inspect each crematory, during regular business hours, at least once every three years.

The board shall require a renewal fee in the amount of three hundred fifty dollars.

Section 6. No later than September 30, 2025, the State Board of Funeral Service shall, pursuant to chapter 1-26, provide for and file with the secretary of state, the amendment of ARSD 20:45:03:08, as set forth below:

20:45:03:08. Fees. The fees for licenses and registrations issued by the board are as follows and are nonrefundable:

- (1) Trainee registration fee, twenty-five dollars;
- (2) Funeral director license application fee, two hundred and twenty-five dollars;

- (3) Annual funeral director license renewal fee, two hundred and twenty-five dollars;
- (4) Funeral establishment license application fee, three hundred and fifty dollars; and
- (5) Annual funeral establishment license renewal fee, three hundred and fifty dollars.

Source: 50 SDR 157, effective July 2, 2024.

General Authority: SDCL 36-19-12.1.

Law Implemented: SDCL 36-19-18, 36-19-25, 36-19-27, 36-19-37.

An Act to increase licensure fees related to the practice of funeral service and cremation.

I certify that the attached Act originated in the:
House as Bill No. 1015

Received at this Executive Office this ____ day of _____, 2025 at _____ M.

Chief Clerk

By _____ for the Governor

Speaker of the House

The attached Act is hereby approved this _____ day of _____, A.D., 2025

Attest:

Chief Clerk

Governor

STATE OF SOUTH DAKOTA,

ss.

Office of the Secretary of State

President of the Senate

Attest:

Filed _____, 2025 at _____ o'clock __ M.

Secretary of the Senate

Secretary of State

House Bill No. 1015
File No. _____
Chapter No. _____

By _____
Asst. Secretary of State