

**20:45:02:08. Definitions.** Terms defined in SDCL 36-19-1 have the same meaning when used in this article. As used in this article, the term, sponsor, means a funeral director licensed in accordance with SDCL chapter 36-19 and § 20:45:03:02.02 who is supervising a trainee in funeral service.

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

**General Authority:** SDCL 36-19-12.1.

**Law Implemented:** SDCL 36-19-1, 36-19-21.

CHAPTER 20:45:03  
LICENSING REQUIREMENTS

Section

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**20:45:03:01. Minimum qualifications of trainee.** An applicant for registration as a trainee in funeral service shall have a high school education or a high school equivalent education, must be:

- (1) be at least eighteen years of age; and be of
- (2) Of good moral character; and
- (3) Enrolled in or have completed a mortuary science or funeral service program accredited by the American Board of Funeral Service Education.

**Source:** SL 1975, ch 16, § 1; 9 SDR 59, effective November 14, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 50 SDR 157, effective July 2, 2024.

**General Authority:** SDCL 36-19-12.1.

**Law Implemented:** SDCL 36-19-1(5), 36-19-18, 36-19-21(5).

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**20:45:03:02. Traineeship in funeral service.** ~~For purposes of this section, one year's work is twelve months, either consecutive or non-consecutive, and in no event may the traineeship be less than two thousand eighty hours. Although the twelve-month period is not required to be completed in consecutive succession, a trainee must reapply for registration if the trainee seeks to resume duties after being terminated by a sponsor, or if the trainee changes sponsors for any reason.~~ To satisfy the licensing requirement in SDCL 36-19-21, the traineeship must be a minimum of one year and completed within three years from the date of initial registration. An individual shall apply for a license to practice funeral service within five years of completing the traineeship or the traineeship must be repeated to be eligible for licensure.

The trainee must perform all work under the supervision of the trainee's sponsor. If a trainee is terminated by a sponsor or changes sponsors for any reason, the trainee must reapply for and be granted registration, and a new sponsor must be designated before the trainee resumes work. ~~The traineeship may be served under different funeral service licensees licensed in accordance with SDCL chapter 36-19 sponsors and in different funeral establishments licensed in accordance with SDCL chapter 36-19. The trainee must be a citizen of the United States or a resident of South Dakota. The traineeship must be completed in one-month segments, unless the board finds good cause for shorter segments shall notify the board in writing of any changes in circumstances or supervision within ten days of the event.~~

~~———— A funeral service licensee may not sponsor more than one trainee at a time. The sponsoring funeral service licensee is fully responsible for the trainee's actions and work in funeral service. The sponsor and the trainee shall notify the board immediately of the termination or temporary discontinuance of supervision of a trainee.~~

~~——— To maintain registration, the trainee must file with the board at least twenty-five acceptable embalming case reports on forms provided by the board, along with twelve monthly report cards. The trainee shall assist in the direction of at least twenty-five funerals and present five sets of arrangements. The trainee must perform all work as a trainee under the supervision of the trainee's funeral service sponsor.~~

~~——— A terminated traineeship may be reinstated if the trainee applies again to the board. A traineeship may be completed before or after completing mortuary college.~~

~~——— Any funeral service licensee, including a sponsor or the owner of a funeral establishment, who allows a person to do the work of a trainee when that person is not registered with the board or when that person has completed the traineeship program, is subject to license revocation or suspension.~~

During the traineeship, the trainee must:

- (1) Work at least two thousand and eighty hours;
- (2) Complete twenty-five acceptable embalming case reports on forms provided by the board;
- (3) Complete monthly report cards on forms provided by the board;
- (4) Assist in directing twenty-five funerals; and
- (5) Present five sets of arrangements.

~~——— An activity being completed for credit towards an accredited mortuary science or funeral service program may not be used to satisfy the trainee requirements described in subdivisions (1) to (5), inclusive, of this section.~~

The trainee must submit all reports and forms to the board prior to the completion of the traineeship.

Failure to comply with this section is grounds for licensure action pursuant to SDCL 36-19-38.

**Source:** SL 1975, ch 16, § 1; 9 SDR 59, effective November 14, 1982; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 19 SDR 35, effective August 27, 1992; 21 SDR 118, effective January 2, 1995; 30 SDR 215, effective July 14, 2004; 50 SDR 157, effective July 2, 2024.

**General Authority:** SDCL 36-19-12.1.

**Law Implemented:** SDCL 36-19-18, 36-19-21(5), 36-19-38(7)(13).

**20:45:03:02.02. Qualifications of a trainee sponsor.** To qualify as a trainee sponsor, the licensed funeral director must be in good standing, have been licensed for at least five consecutive years immediately preceding becoming a sponsor, and have had no discipline on the license for the past five years.

**Source:**

**General Authority:** SDCL 36-19-12.1.

**Law Implemented:** SDCL 36-19-18, 36-19-21(5), 36-19-38(7)(13).

**20:45:03:02.03. Supervision of trainee.** The sponsor must be physically present in the same funeral establishment as the trainee to directly supervise the trainee's first five embalming cases. Thereafter, if the sponsor determines the trainee has demonstrated competency and professionalism, the trainee may only work if the sponsor is immediately available in person or by telecommunications.

The sponsor must notify the board in writing within ten days if the sponsor terminates the traineeship. If the sponsor is no longer available, the trainee may not perform any work until the trainee has applied for and received registration, and a new sponsor is designated.

The sponsor is responsible for the trainee's actions and work in funeral service, and for ensuring the trainee completes all required reports and forms. The sponsor may not supervise more than one trainee at a time. The sponsor must display the trainee's registration at the funeral establishment.

A sponsor may delegate supervision of a trainee to another funeral service licensee for up to thirty days to complete the traineeship requirements described in subdivisions (1) to (4), inclusive, of § 20:45:03:02 that a trainee is unable to fulfill at the sponsor's funeral establishment.

Any funeral service licensee may not:

- (1) Allow an individual to do the work of a trainee if the individual is not registered with the board; or
- (2) Allow an individual, who has completed the traineeship, to continue to do the work of a trainee.

Failure to comply with this section is grounds for licensure action pursuant to SDCL 36-19-38.

**Source:**

**General Authority:** SDCL 36-19-12.1.

**Law Implemented:** SDCL 36-19-18, 36-19-21(5), 36-19-38(7)(13).

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**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, ~~one~~ two hundred and twenty-five dollars;
  - (3) Annual funeral director license renewal fee; ~~one~~ two hundred and twenty-five dollars;
  - (4) Funeral establishment license application fee, ~~two~~ three hundred and fifty dollars;
- and
- (5) Annual funeral establishment license renewal fee, ~~two~~ 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, SL 2025, ch 160 §

6.