



Beauty Salons and Barber Shops

<https://dor.sd.gov/> 1-800-829-9188

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The purpose of this Tax Fact is to explain how South Dakota taxes apply to beauty shops, barber shops, and similar services. It is not intended to answer all questions that may arise. The information contained in this fact sheet is current as of the date of publication.

Services provided by barbers, cosmetologists, nail technicians, and estheticians are subject to state plus applicable municipal sales tax. Other services that may be performed at salons are also subject to sales tax. Examples of these services include: permanent makeup, tattooing, tanning services (spray tans or tanning beds), ear candling, massage therapy, reflexology, aromatherapy, piercing and branding.

In addition to sales tax on services, service providers are the consumer of products they use in providing their service and may have a use tax liability. This brochure explains when products are subject to tax at the time of purchase and what products may be purchased for resale.

South Dakota Taxes and Rates	
State Sales and Use Tax – Applies to all sales or purchases of taxable products and service. Sales tax does not apply to products or vehicles subject to the ag excise or motor vehicle excise taxes.	4.5%
Municipal Sales and Use Tax – Applies to all sales of products and services that are subject to the state sales tax or use tax if the purchaser receives or uses the product or service in a municipality that imposes a sales tax or use tax.	1 to 2%

Sales Tax License Requirements

A salon or barber shop may have employees or independent contractors, such as booth renters.

Employees - The salon or barber shop owner is required to have a sales tax license and is responsible for reporting all receipts of the business. The owner may pay the employees wages or commissions. The employee does not owe sales tax on the wages or commissions received. The owner cannot deduct the wages or commissions from the gross receipts which are subject to sales tax.

Independent contractors - "Booth Renters" - Each person that rents a booth from a salon or barber shop owner is required to have a sales tax license and is responsible for remitting sales tax on their receipts. Booth rent is not subject to sales or use tax. The booth renter cannot deduct the payment for booth rent from their gross receipts which are subject to sales tax.

Other services as listed above that may be provided at a salon are also subject to sales tax. If the salon owner collects all receipts, they are responsible for remitting sales tax on the receipts. Any commission or wages paid to the employees are not subject to sales tax. If the salon just provides space to a service provider, the service provider is responsible for their own receipts, and must be licensed with the Department of Revenue to remit any sales or use tax due.

Other contact information:

- All salons, cosmetologists, nail technicians, and estheticians should contact the Cosmetology Board for licensing requirements. <https://dlr.sd.gov/cosmetology/default.aspx>
- All massage therapists should contact the South Dakota Board of Massage Therapists for license requirements. <https://doh.sd.gov/boards/massage/>
- All barbers should contact the Board of Barbers. <https://dlr.sd.gov/barber/default.aspx>
- In addition, you may want to contact the IRS or a CPA for information regarding income taxes.

Apply for a tax license online at <https://apps.sd.gov/rv23cedar/main/main.aspx>.

Doing Business in Multiple States?

Apply through the Streamlined Sales Tax System at www.streamlinedsalestax.org to obtain a license with the programs 24-member states.

Products and Equipment used by Service Provider

Service providers are the consumer of all products and supplies they use in performing their service. The service provider is responsible for remitting the use tax on all supplies taken from inventory that were purchased without tax when those supplies are used in performing their service or for personal use. Sales and use tax is due on all equipment used by a salon or service provider.

If the supplier does not charge sales tax, the service provider is responsible for remitting state plus applicable municipal use tax on their purchase price. The purchase price is the amount paid for the product including delivery or handling charges.

Depending on the salon, the salon owner may purchase all of the products for use or for sale in the salon, they may sell products to the booth renter, or the booth renter may be responsible for purchasing their own products and supplies.

Delivery and handling charges, including postage, are included in the cost of the product which is subject to sales or use tax.

Suppliers are responsible for collecting sales tax unless they are provided a valid exemption certificate. When purchasing items for use in the salon and items for resale, the salon or booth renter should indicate to the supplier which products should be taxed. If products are being used by the salon or booth renter are purchased without tax, use tax is due.

Examples of equipment and supplies subject to sales tax:

- capes
- cleaning supplies
- combs/ brushes
- computers and computer software
- curling irons
- gloves
- hair dryers
- laser hair removal equipment
- manicure equipment and supplies
- massage tables
- magazines
- pedicure equipment and supplies
- razors
- salon chairs
- scissors
- tanning beds
- towels

Examples:

1. *Salon or barber shop purchases all products.*
 - The salon or barber shop is responsible for remitting use tax on all supplies used by the employees or booth renters if sales tax was not collected by the supplier, and is responsible for sales tax on all sales to customers.
2. *Salon purchases products but sells to the booth renters.*
 - The salon may purchase the products for resale. The salon will owe sales tax on all products sold to booth renters to be used by the booth renter. The salon will owe use tax on all products they or their employees use and will owe sales tax on all products they sell to customers.
3. *Booth renters purchase their own products.*
 - The booth renter will owe use tax on all products they use in providing their service if sales tax was not collected by the supplier and will owe sales tax on all products they sell to customers.

Examples of products or supplies subject to sales or use tax when used on customers:

- antiseptic
- bleach
- body wraps
- cleanser
- color
- color remover
- conditioners
- Cosmetics
- cuticle cream/ oil
- cuticle pushers
- cuticle remover
- detanglers
- gel
- hair extensions
- hair gloss
- hair pins
- hair thickening lotion
- hairspray
- lash extensions
- makeup
- masks
- mousse
- nail files
- nail glue
- nail polish
- nail tips
- oils
- perms
- polish remover
- pomade
- reconditioners
- shampoo
- straighteners
- talcum powder
- tan accelerator lotion
- tan intensifying lotion
- toners
- volumizers
- wax
- wax remover

Products Sold to Customers

Products sold to customers for their use are subject to the state plus applicable municipal sales tax. Products sold to customers can be purchased for resale. Examples are shampoos, conditioners, dryers, combs, brushes, curling irons, etc. that the customer takes with them. Use tax is due on products removed from inventory for personal use or use in the business.

The salon or booth renter should provide the supplier with an exemption certificate when purchasing items for resale.

When the salon owner is responsible for all items sold to customers they are liable for the sales tax on the selling price. If the salon pays a commission to the employees for products they sell the employees will not owe sales tax on the commission they receive.

If the booth renter is responsible for any products they sell, the booth renter will report those sales on their sales tax return. If the booth renter purchases items from the salon owner or other booth renters to sell to customers, they should provide an exemption certificate to the person they purchased from. The booth renter then collects and remits sales tax on the sale to the customer.

Exemption Certificate

An exemption certificate must be completed by the purchaser when they are buying products for resale. The purchaser must furnish a completed certificate to the seller. Without an exemption certificate the seller is responsible for collecting sales tax. The purchaser is responsible for assuring that the products and services purchased are being purchased for resale. When a purchase includes products for resale and products to be used by the purchaser, the purchaser should tell the seller which products will be used by them so the appropriate sales tax can be applied at the time of purchase. If sales tax is not charged on the products to be used by the purchaser, the purchaser must remit use tax on the amount paid for those products, including delivery and handling charges.

Misuse of exemption certificates - Any purchaser who knowingly and intentionally lists items for resale that he or she knows will not be resold, or provides an invalid exemption certificate with the intent to evade payment of the tax, must pay the use tax on these items and may be guilty of a Class I misdemeanor and fined up to 50% of the tax owed. If a business legitimately purchases an item for resale, but later uses that item, the purchaser is responsible for reporting and paying use tax on that item.

An exemption certificate may be printed from the Department's website at <https://dor.sd.gov> under [Forms](#). For additional information, please review the [Exemption Certificate Tax Fact](#) on our website at <https://dor.sd.gov>.

Consignments

Retailers that sell products on consignment are responsible for collecting and remitting sales tax on the sale. The retailer may issue the consignor an exemption certificate.

Examples of products that may be sold on consignment are purses and hair accessories.

Tips

Voluntary tips are not subject to sales or use tax. Mandatory tips are included in the gross receipts and subject to sales tax.

Gift Certificates

The sale of a gift certificate is not subject to sales tax at the time of purchase. When the gift certificate is redeemed for services or goods it is subject to sales tax. The sale of a gift certificate is included in gross receipts, and then taken as a deduction under nontaxable sales. When the certificate is redeemed for products or services, the sale amount of the products or services is included in line 1 of the sales tax return.

Food and Drinks

The sale of candy, pop, or chips is subject to state plus applicable municipal sales tax.

The sale of prepared food is subject to the state, applicable municipal sales tax, and municipal gross receipts tax. The prepared food rate applies if the business sells food or drinks they prepare such as sandwiches, meals, and drinks that are not a part of a spa package.

Food or drinks provided to customers at no charge or as part of a spa package are subject to the state plus applicable municipal sales tax when purchased. If sales tax is not paid when purchased, use tax is due on the cost of the food and drinks. The total charge for the spa package is also subject to sales tax.

Salons and booth renters cannot sell or serve wine or champagne or other alcoholic beverages, including complimentary alcoholic drinks, without the appropriate alcohol license.

Calculating and Reporting Sales Tax

Do not include sales tax in the gross receipts reported on line 1 of the sales tax return. If a fee includes the sales tax, be sure to back out the sales tax before reporting the gross receipts. Tax may only be backed out of the fee if the pricing information states that tax is included in the price.

Use taxable items are reported on line 2 of the sales tax return. Use tax is due on the cost of a product including delivery charges.

Non-Taxable sales are included on line 1, gross receipts, and then are deducted on Line 3, Non-Taxable Sales. This includes receipts for products sold for resale (when a valid exemption certificate was received) and receipts for booth rentals or commissions. Only commissions received may be deducted. Do not deduct commissions paid to others.

Record-Keeping Requirements

Any business subject to sales, use or contractor's excise tax in this state must keep all business records for at least three years.

The records should be preserved for a period of three years and must include the normal books of account ordinarily maintained by the average prudent businessperson. All tax returns, as well as the schedules or working papers issued in connection with the preparation of tax returns, should also be preserved. In addition to the above records, the business should keep copies of supporting information, worksheets, schedules, etc. showing how the sales and use tax amounts were determined.

Anyone who fails to keep the records and books required, or refuses to exhibit these records to the Department of Revenue for the purpose of examination, could be found guilty of a Class 1 misdemeanor.

Deductions: All deductions to gross receipts allowed by law and claimed in filing returns must be supported by the following types of documents:

Exemption certificates

Proof of exemption (exemption certificate or proof of government funds)

Bills of lading or other proof of delivery Credit memorandums

Bad debts as claimed on federal income tax returns

Use Tax: Tangible personal property or services on which sales tax has not been paid are subject to use tax. Services and use taxable items which are stored, used or otherwise consumed should be identified by:

- Purchase invoices
- Cash disbursement journal or check register
- Fixed assets schedule
- Inventory withdrawal records
- Depreciation schedules

Examples of business records include:

Gross Receipts

- Sales and billing invoices
- General ledger
- Cash register tapes
 - ⇒ Journal tapes
 - ⇒ Detail tapes
 - ⇒ Z tapes
 - ⇒ Guest checks
- Bank deposit slips and statements
- Sales and/or cash receipts journal
- Contracts
- Pricing information
- Appointment books

Contact Us

If you have any questions, please contact the **South Dakota Department of Revenue**.

Call toll-free: 1-800-829-9188

Business Tax Division Email: bustax@state.sd.us

Website: <https://dor.sd.gov/>

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