



SOUTH DAKOTA MEDICAL CANNABIS PROGRAM

600 EAST CAPITOL AVENUE
PIERRE, SD 57501-2536

Legislative Updates!

The following statutory changes will go into effect July 1, 2023, unless otherwise stated.
Please plan accordingly:

Title of Bill	Description	Bill #
Modify debilitating medical conditions for medical cannabis use.	<p>Adds AIDS/HIV, ALS, multiple sclerosis, Crohn's disease, epilepsy and seizure, post-traumatic stress disorder, and cancer or its treatment (if associated with severe or chronic pain, nausea/vomiting, or severe wasting) to the list of debilitating medical conditions eligible for medical cannabis use.</p> <p>Repeals the petition process for disabling conditions in § 34-20G-26.</p>	SB1
Revise memberships of the Medical Marijuana Oversight Committee	Changes the membership of the Medical Marijuana Oversight Committee to include two Senators, two Representatives, one physician, one PA, one NP, one chief of police from a municipality with a population of 50,000 or more, one sheriff, one professional counselor or addiction counselor, and one qualifying patient. Membership removed included representatives from DOH, DPS, DCI, AG Office, cannabis testing establishment and person with experience in medical cannabis policy development/implementation	SB 134
All medical cannabis establishments to maintain certain cardholder data and to declare an emergency (Effective date March 8, 2023)	Allows cardholders to authorize medical cannabis establishments to maintain the cardholder's name and other personally identifiable information for the limited purpose of receiving direct communication regarding the cardholder's individual medical needs or use of a specific product.	SB 198
Prohibit the issuance of a written certification to a pregnant woman or breastfeeding mother for purposes of medical cannabis use	<ul style="list-style-type: none"> ▪ Prohibits a practitioner from issuing a written certification for medical cannabis use to a pregnant or breastfeeding woman ▪ Clarifies that severe nausea associated with pregnancy does not qualify as a debilitating medical condition 	HB 1053
Revise provisions regarding the duties of the medical marijuana oversight committee	Updates the duties of the Medical Marijuana Oversight Committee to include evaluating and making recommendations related to any medical or clinical aspects of the medical cannabis program.	HB 1132

<p>Provide a medical cannabis patient a registry identification card fee waiver in certain circumstances</p>	<p>Provides for a waiver of the fee for a medical cannabis registry card for patients whose initial certification from their practitioner was for 60 days or less. The patient may only receive one fee waiver per calendar year</p>	<p>HB 1150</p>
<p>Modify acceptable conduct for practitioners related to medical cannabis</p>	<p>Prohibits practitioners from:</p> <ul style="list-style-type: none"> ▪ Offering discounts, deals, or other financial incentives for making an appointment for the purpose or receiving written certification for medical cannabis use ▪ Conducting the medical assessment required for the bona-fide practitioner-patient relationship in a space licensed for the sale of alcohol, or ▪ Charging a patient based on the term of a written certification issued to the patient. ▪ Makes it a Class 2 misdemeanor for an entity to offer discounts, deals, or other financial incentives for making an appointment for the purpose of receiving a written certification for medical cannabis use or charging a patient based on the duration of a written certification issued to the patient. 	<p>HB 1154</p>