



2022 South Dakota Legislature

Senate Bill 12

SENATE ENGROSSED

Introduced by: **Senators** V. J. Smith, Breitling, Duhamel, Rohl, and Stalzer and **Representatives** Willadsen, Bartels, Chaffee, Derby, Deutsch, Duba, Finck, Fitzgerald, Goodwin, Milstead, Ernie Otten, Perry, Rehfeldt, and Wiese at the request of the Marijuana Interim Study Committee

1 **An Act to revise the annual report on medical cannabis by the Department of Health**
 2 **to the Legislature.**

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

4 **Section 1. That § 34-20G-94 be AMENDED:**

5 **34-20G-94.** The department shall report annually to the Legislature on the
 6 number of applications for registry identification cards received~~7~~; the number of qualifying
 7 patients and designated caregivers approved~~7~~; the number of registry identification cards
 8 revoked~~7~~; the number of each type of medical cannabis establishment registered~~7~~; ~~and~~
 9 the expenses incurred and revenues generated from the medical cannabis program; the
 10 number of patient cardholders by medical condition; qualifying patient demographics by
 11 age and sex; the number and specialty of the practitioners providing written certifications;
 12 the number of medical cannabis establishments by type; the number of licensing violations
 13 determined by the department; the impact of medical cannabis on public safety, public
 14 health, and behavioral health services; any other information regarding the effects of
 15 medical cannabis on the public; and any recommendations. The department may not
 16 include identifying information on a qualifying patient, designated caregiver, or
 17 practitioner in the report.

18 **Section 2.** That § 34-20G-94, as amended by section 1 of this Act, is repealed on June 30,
 19 2025.

20 **Section 3. That § 34-20G-88 be AMENDED:**

21 **34-20G-88.** Data kept or maintained by the department may be disclosed solely
 22 for:

- 1 (1) The verification of a registration certificate or registry identification card pursuant
2 to this chapter;
- 3 ~~(2) Submission of the annual report required by this chapter;~~
- 4 ~~(3)~~ Notification of state or local law enforcement of an apparent criminal violation of
5 this chapter;
- 6 ~~(4)~~(3) Notification of state and local law enforcement about falsified or fraudulent
7 information submitted for the purpose of obtaining or renewing a registry
8 identification card; or
- 9 ~~(5)~~(4) Notification of the South Dakota Board of Medical and Osteopathic Examiners if
10 there is reason to believe that a practitioner provided a written certification and
11 the department has reason to believe the practitioner otherwise violated the
12 standard of care for evaluating a medical condition.

13 **Section 4.** That the amendment to § 34-20G-88 in section 3 of this Act is effective June 30,
14 2025.