22.492.9

97th Legislative Session

2022 South Dakota Legislature

Senate Bill 190

Introduced by: Senator Rohl

An Act to revise provisions regarding municipal zoning of medical cannabis establishments.

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

Section 1. That chapter 34-20G be amended with a NEW SECTION:

For purposes of this chapter, any municipality that has not enacted a zoning ordinance pursuant to title 11 governing the location of medical cannabis establishments may enact an ordinance to regulate the place of operation of any cannabis-related establishment under this section.

A municipality may prohibit the location of a medical cannabis establishment in an area in a sensitive land use area and may establish reasonable setbacks. For purposes of this section, a sensitive land use area includes churches, schools, day cares, public service and recreation facilities, places frequented by people under age twenty-one, and parks.

A municipality may require a minimum distance between cannabis-related establishments.

Undertones indicate new language.

Deletions indicate deleted language.