

2023 South Dakota Legislature

House Bill 1226**AMENDMENT 1226B
FOR THE INTRODUCED BILL**

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

1 An Act to ~~accommodate legislation related to delta-8 and delta-10~~
2 ~~tetrahydrocannabinol products regulate industrial hemp-derived delta-8 and~~
3 ~~delta-10 tetrahydrocannabinol products, and other hemp-derived~~
4 ~~psychoactive compounds, and to declare an emergency.~~

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

6 **Section 1. That § 38-35-12 be AMENDED:**

7 **38-35-12.** The Department of Health shall promulgate rules, pursuant to chapter
8 1-26, to:

- 9 (1) Make any modification or addition to the hemp regulatory program in order to
10 comply with any federal statutes or any rules and regulations regarding hemp
11 enacted or implemented by the United States Department of Agriculture;
- 12 (2) Establish testing procedures to determine if the hemp tested contains the lawful
13 amount of total delta-9 tetrahydrocannabinol concentration and certifying results;
14 and
- 15 (3) Establish labeling requirements for industrial hemp products; and
- 16 (4) Establish labeling, marketing, packaging, and testing requirements and procedures
17 for delta-8 and delta-10 tetrahydrocannabinol products, and other hemp-derived
18 psychoactive compounds.

19 **Section 2.** Whereas, this Act is necessary for the immediate preservation of the public peace,
20 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force
21 and effect from and after its passage and approval.