

2023 South Dakota Legislature

House Bill 1129**AMENDMENT 1129F
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 ~~modify and establish provisions related to~~ standardize certain testing of**
2 **medical cannabis and medical cannabis products.**

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

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

5 If the department has reasonable cause to believe that medical cannabis or a
6 cannabis product, which has been transferred to a dispensary, may be contaminated,
7 spoiled, mislabeled, or otherwise adulterated, and that the product may therefore pose a
8 risk to public health or safety, the department shall obtain and test a representative
9 product sample.

10 If departmental testing verifies a potential risk to public health or safety, the
11 department shall, before taking any other action, collaborate with a private testing facility
12 to reference test and validate the findings of the department.

13 The department shall, upon completion of the testing, provide to the establishment
14 from which the sample was taken a copy of all records associated with the testing,
15 including the testing and reporting methodologies used by the department and the private
16 testing facility.

17 **Section 2. That chapter 34-20G be amended with a NEW SECTION:**

18 Any testing conducted by the department or any private facility, in accordance with
19 section 1 of this Act, must utilize standards that:

- 20 (1) Are internationally recognized;
21 (2) Have undergone rigorous scientific and systemic scrutiny;
22 (3) Are highly credible and defensible;

- 1 (4) Contain technical specifications and criteria that are designed to ensure the
- 2 consistent application of laboratory testing and analyses;
- 3 (5) Promote accuracy in label potency claims; and
- 4 (6) Address public safety regarding contamination, spoilage, mislabeling, or other
- 5 adulteration.

6 The department shall, by rules promulgated under chapter 1-26, identify the

7 standards that meet the requirements of this section.

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