



2023 South Dakota Legislature

House Bill 1154

SENATE ENGROSSED

Introduced by: **Representative Olson**

1 **An Act to modify acceptable conduct for practitioners related to medical cannabis.**

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

3 **Section 1. That § 34-20G-78 be AMENDED:**

4 **34-20G-78.** A practitioner ~~who knowingly~~ is guilty of a Class 2 misdemeanor if the
5 practitioner:

6 (1) Knowingly ~~refers patients~~ a patient to a medical cannabis establishment or to a
7 designated caregiver ~~in exchange for financial consideration,~~ who advertises;

8 (2) Advertises in a medical cannabis establishment, ~~or who issues;~~

9 (3) Issues written certifications while holding a financial interest in a medical cannabis
10 establishment ~~is guilty of a Class 2 misdemeanor;~~

11 (4) Offers a discount, deal, or other financial incentive for making an appointment with
12 the practitioner for the purpose of receiving a written certification;

13 (5) Conducts the medical assessment required for a bona fide practitioner-patient
14 relationship in a space licensed for the sale of alcoholic beverages; or

15 (6) Charges a patient based on the term of a written certification issued to the patient.

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

17 An entity is guilty of a Class 2 misdemeanor if the entity:

18 (1) Offers a discount, deal, or other financial incentive for making an appointment with
19 a practitioner for the purpose of receiving a written certification; or

20 (2) Charges a practitioner's patient based on the duration of a written certification
21 issued to the patient.