



2023 South Dakota Legislature  
**Senate Bill 134**  
**ENROLLED**

AN ACT

**ENTITLED An Act to revise membership of the Medical Marijuana Oversight Committee.**

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

**Section 1. That § 34-20G-92 be AMENDED:**

**34-20G-92.** The Executive Board of the Legislative Research Council shall appoint an oversight committee consisting of:

- (1) Two members of the Senate;
- (2) Two members of the House of Representatives;
- (3) One physician licensed in accordance with chapter 36-4;
- (4) One physician assistant licensed in accordance with chapter 36-4A;
- (5) One certified nurse practitioner licensed in accordance with chapter 36-9A;
- (6) One chief of police for a municipality having a population in excess of fifty-thousand, or a representative of the police department designated by the chief;
- (7) One sheriff of a county or a representative of the sheriff's office designated by the sheriff;
- (8) One professional counselor licensed in accordance with chapter 36-32 or one addiction counselor licensed in accordance with chapter 36-34; and
- (9) One qualifying patient.

Each appointee shall serve for a term of two years and may be reappointed.

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

Beginning in 2023, and every two years thereafter, the oversight committee shall select from among itself one legislator to serve as the chair and one legislator, from the opposite chamber, to serve as the vice chair.

Beginning in 2025, the legislators selected to serve as the chair and vice chair may not be from the same chamber as their immediate predecessors.

**Section 3. That § 34-20G-93 be AMENDED:**

**34-20G-93.** The oversight committee shall meet at least two times per year for the purpose of evaluating and making recommendations to the Legislature and the department regarding:

- (1) The ability of qualifying patients in all areas of the state to obtain timely access to high-quality medical cannabis;
- (2) The effectiveness of the dispensaries and cultivation facilities, individually and together, in serving the needs of qualifying patients, including the provision of educational and support services by dispensaries, the reasonableness of their prices, whether they are generating any complaints or security problems, and the sufficiency of the number operating to serve the state's registered qualifying patients;
- (3) The effectiveness of the cannabis testing facilities, including whether a sufficient number are operating;
- (4) The sufficiency of the regulatory and security safeguards contained in this chapter and adopted by the department to ensure that access to and use of cannabis cultivated is provided only to cardholders;
- (5) Any recommended additions or revisions to the department regulations or this chapter, including relating to security, safe handling, labeling, and nomenclature; and
- (6) Any research studies regarding health effects of medical cannabis for patients.

The oversight committee shall ensure that it seeks relevant input from qualifying patients; designated caregivers; pharmacists; school boards and administrators; parents; municipal representatives; state agencies, including the Department of Health, the South Dakota Division of Criminal Investigation, and the Department of Public Safety; and medical cannabis establishments.

An Act to revise membership of the Medical Marijuana Oversight Committee.

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I certify that the attached Act originated in the:

Received at this Executive Office this \_\_\_\_ day of \_\_\_\_\_,

Senate as Bill No. 134

2023 at \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of the Senate

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
President of the Senate

The attached Act is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2023

Attest:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
Speaker of the House

Attest:

Filed \_\_\_\_\_, 2023  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Secretary of State

Senate Bill No. 134  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State