

2024 South Dakota Legislature

House Bill 1036**AMENDMENT 1036A
FOR THE INTRODUCED BILL**

1 **An Act to require that a dispensary post notice of the federal law regarding**
2 **possession of a firearm and the use of marijuana and to provide a civil**
3 **penalty.**

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

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

6 A dispensary shall post, at each entrance used by the public and at each cash
7 register or point of sale, a conspicuous sign that:

8 (1) Is clearly visible to an individual, whether sitting or standing; and

9 (2) Contains the following words:

10 **WARNING: Federal law prohibits the possession of a firearm by certain**
11 **individuals who are users of or addicted to marijuana. See 18 U.S.C. §**

12 **922(g) (January 1, 2024).**

13 Except as otherwise provided, a dispensary that violates this section is subject to
14 a civil penalty in the amount of ~~two hundred and~~ fifty dollars per day ~~after notification of~~
15 ~~the violation~~. The department shall assess the penalty and forward the amount collected
16 to the state treasurer for deposit in the state general fund.

17 **Section 2.** The department shall cease to enforce the requirements set forth in section 1 of
18 this Act upon receiving a certification from the Attorney General indicating that federal law no
19 longer prohibits the possession of a firearm by certain individuals who are users of or addicted
20 to marijuana.