



2024 South Dakota Legislature

Senate Bill 191

SENATE HEALTH AND HUMAN SERVICES ENGROSSED

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

Introduced by: **Senator Mehlhaff**

1 **An Act to restrict the use of medical cannabis for individuals on probation or**
 2 **conditional release.**

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

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

5 In order for an individual who is serving a probationary sentence under the
 6 supervision of the Unified Judicial System or who is on conditional release or parole from
 7 a state correctional facility under the legal custody of the Department of Corrections to
 8 utilize medical cannabis, the individual's practitioner must attest that the use of medical
 9 cannabis is:

10 (1) Consistent with the medical standard of care for the treatment of the individual's
 11 documented debilitating medical condition and any symptoms associated with the
 12 debilitating medical condition;

13 (2) Reasonable in light of the practitioner's observation and the individual's physical
 14 examination, diagnostic test results, medical history, and reported symptoms; and

15 (3) Reasonable in light of the risks and benefits of medical cannabis as compared to
 16 the risks and benefits of other treatment options for the individual's debilitating
 17 medical condition and any symptoms associated with the debilitating medical
 18 condition.