



2026 South Dakota Legislature

House Bill 1160

Introduced by: **Representative Goodwin**

1 **An Act to repeal the medical marijuana oversight committee.**

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

3 **Section 1. That § 34-20G-92 be REPEALED.**

4 ~~The Executive Board of the Legislative Research Council shall appoint an oversight~~
5 ~~committee consisting of:~~

6 ~~(1) Two members of the Senate;~~

7 ~~(2) Two members of the House of Representatives;~~

8 ~~(3) One physician licensed in accordance with chapter 36-4;~~

9 ~~(4) One physician assistant licensed in accordance with chapter 36-4A;~~

10 ~~(5) One certified nurse practitioner licensed in accordance with chapter 36-9A;~~

11 ~~(6) One chief of police for a municipality having a population in excess of fifty-~~
12 ~~thousand, or a representative of the police department designated by the chief;~~

13 ~~(7) One sheriff of a county or a representative of the sheriff's office designated by the~~
14 ~~sheriff;~~

15 ~~(8) One professional counselor licensed in accordance with chapter 36-32 or one~~
16 ~~addiction counselor licensed in accordance with chapter 36-34; and~~

17 ~~(9) One qualifying patient.~~

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

19 **Section 2. That § 34-20G-92.1 be REPEALED.**

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

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

1 **Section 3. That § 34-20G-93 be REPEALED.**

2 ~~The oversight committee shall meet at least two times per year for the purpose of~~
3 ~~evaluating and making recommendations to the Legislature and the department~~
4 ~~regarding:~~

5 ~~(1) The ability of qualifying patients in all areas of the state to obtain timely access to~~
6 ~~high-quality medical cannabis;~~

7 ~~(2) The effectiveness of the dispensaries and cultivation facilities, individually and~~
8 ~~together, in serving the needs of qualifying patients, including the provision of~~
9 ~~educational and support services by dispensaries, the reasonableness of their~~
10 ~~prices, whether they are generating any complaints or security problems, and the~~
11 ~~sufficiency of the number operating to serve the state's registered qualifying~~
12 ~~patients;~~

13 ~~(3) The effectiveness of the cannabis testing facilities, including whether a sufficient~~
14 ~~number are operating;~~

15 ~~(4) The sufficiency of the regulatory and security safeguards contained in this chapter~~
16 ~~and adopted by the department to ensure that access to and use of cannabis~~
17 ~~cultivated is provided only to cardholders;~~

18 ~~(5) Any recommended additions or revisions to the department regulations or this~~
19 ~~chapter, including recommendations relating to security, safe handling, labeling,~~
20 ~~and nomenclature;~~

21 ~~(6) Any research studies regarding health effects of medical cannabis for patients; and~~

22 ~~(7) Any medical and clinical aspects of the medical cannabis program.~~

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