

# *JOURNAL OF THE HOUSE*

## *NINETY-FIFTH SESSION*

---

THIRTY-FIFTH DAY

---

STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Wednesday, March 11, 2020

The House convened at 10:00 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Fr. Joe Holzhauser, followed by the Pledge of Allegiance led by House page Amanda Lee.

Roll Call: All members present except Reps. Glanzer and David Johnson who were excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-fourth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Steven G. Haugaard, Chair

Which motion prevailed.

---

**REPORTS OF STANDING COMMITTEES**

Mr. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared **HB 1067, 1068, 1092, 1100, 1140, 1195, 1199, 1206, 1216, and 1228** and finds the same correctly enrolled.

Respectfully submitted,  
Steven G. Haugaard, Chair

Also Mr. SPEAKER:

The Committee on Legislative Procedure respectfully reports that **HB 1069, 1077, 1089, 1103, 1108, 1117, 1123, 1138, 1154, 1259, and 1264** were delivered to her Excellency, the Governor, for her approval at 9:40 a.m., March 11, 2020.

Respectfully submitted,  
Steven G. Haugaard, Chair

**REPORTS OF CONFERENCE COMMITTEES**

The Speaker appointed Reps. Kevin Jensen, Gross, and Duba as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on **SB 2**.

MR. SPEAKER:

The Conference Committee respectfully reports that it has considered **HB 1054** and the amendments thereto made by the Senate, and the disagreement of the two houses thereon, and recommends that the House do concur with the Senate amendments.

Respectfully submitted,  
Herman Otten, Chair

Respectfully submitted,  
Jordan R. Youngberg, Chair

Also MR. SPEAKER:

The Conference Committee respectfully reports that it has had under consideration **HCR 6012** and returns the same with the recommendation that said resolution be amended as follows:

HCR6012E

On page 1, line 1, of the Senate bill, after "pray" insert "in public schools"

On page 1, line 8, of the Senate bill, after "and" delete "WHEREAS, repressive governments around the world persecute Christians and other religious worshipers, and terrorist organizations carry out barbaric violence against innocent people because of their religion; and"

On page 1, line 11, of the Senate bill, after "and" delete "WHEREAS, the United States desires the end of religious persecution around the world and desires to ensure respect for the freedom of religion; and"

On page 1, line 13, of the Senate bill, after "and" delete "WHEREAS, in May 2017, President Donald J. Trump signed an Executive Order to advance religious liberty for individuals and institutions:"

On page 1, line 15, of the Senate bill, after "institutions:" insert "WHEREAS, a major part of many world religions is the practice of prayer both private and public; and"

On page 1, line 15, of the Senate bill, after "institutions:" insert "WHEREAS, in the case of Engel v. Vitale, 1962, the Supreme Court"

On page 1, line 15, of the Senate bill, after "institutions:" insert "of the United States"

On page 1, line 15, of the Senate bill, after "institutions:" insert "ruled that state sponsored prayers in public schools violated the First Amendment of the United States Constitution; and"

On page 1, line 15, of the Senate bill, after "institutions:" insert "WHEREAS, prayer by individual students can be accomplished in public schools in a voluntary nondisruptive manner, consistent with court rulings on the subject of prayer in public schools; and"

On page 1, line 15, of the Senate bill, after "institutions:" insert "WHEREAS, in recent months, the administration of President Donald J. Trump has issued new guidelines through the United States Department of Education regarding this issue:"

HCR6012G

On amendment (HCR6012E),

On page 2, line 2, after "voluntary" insert the comma

And that as so amended, said resolution be adopted.

Respectfully submitted,  
Tony Randolph, Chair

Respectfully submitted,  
Jim Bolin, Chair

### MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 18, 19, 55, 70, 84, 97, 140, 151, 180, and 186.**

Also Mr. SPEAKER:

I have the honor to return herewith **HCR 6020** in which Senate has concurred.

Respectfully,  
Kay Johnson, Secretary

---

**MOTIONS AND RESOLUTIONS**

---

Rep. Borglum moved that the House do not concur in Senate amendments to **HB 1266** and that a committee of three on the part of the House be appointed to meet with a like committee on the part of the Senate to adjust the differences between the two houses.

Which motion prevailed.

Rep. Rounds rose to a point of order to clarify if a conference committee will be appointed.

Speaker Haugaard confirmed that a conference committee would be appointed.

The Speaker appointed Reps. Karr, Gosch, and Saba as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on **HB 1266**.

Speaker Pro tempore Gosch now presiding

Rep. Haugaard moved that the House do concur in Senate amendments to **HB 1002**.

The question being on Rep. Haugaard's motion that the House do concur in Senate amendments to **HB 1002**.

And the roll being called:

Yeas 58, Nays 1, Excused 11, Absent 0

Yeas:

Anderson, Bartels, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Dennert, Deutsch, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Hammock, Hansen, Healy, Kevin Jensen, Chris Johnson, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:

Mulally

Excused:

Barthel, Cwach, Frye-Mueller, Glanzer, Gross, Howard, Hunhoff, Johns, David Johnson, Karr, and Pourier

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

Speaker Haugaard now presiding.

Rep. Gosch moved that the House do not concur in Senate amendments to **HB 1213** and that a committee of three on the part of the House be appointed to meet with a like committee on the part of the Senate to adjust the differences between the two houses.

Which motion prevailed and the Speaker appointed Reps. Gosch, Karr, and Saba as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on **HB 1213**.

#### CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

Rep. Herman Otten moved that the report of the Conference Committee on **HB 1054** as found on page 548 of the House Journal be adopted.

The question being on Rep. Herman Otten's motion that the report of the Conference Committee on **HB 1054** be adopted.

And the roll being called:

Yeas 58, Nays 1, Excused 11, Absent 0

Yeas:

Anderson, Bartels, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Dennert, Deutsch, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Hammock, Hansen, Healy, Kevin Jensen, Chris Johnson, Koth, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:

Latterell

Excused:

Barthel, Cwach, Frye-Mueller, Glanzer, Gross, Howard, Hunhoff, Johns, David Johnson, Karr, and Pourier

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the report was adopted.

Rep. Randolph moved that the report of the Conference Committee on **HCR 6012** as found on page 548 of the House Journal be adopted as amended.

The question being on Rep. Randolph's motion that the report of the Conference Committee on **HCR 6012** be adopted as amended.

And the roll being called:

Yeas 61, Nays 0, Excused 9, Absent 0

Yeas:

Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Dennert, Deutsch, Diedrich, Duba, Duvall, Finck, Goodwin, Gosch, Lana Greenfield, Hammock, Hansen, Healy, Kevin Jensen, Johns, Chris Johnson, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Qualm, Randolph, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Excused:

Cwach, Frye-Mueller, Glanzer, Gross, Howard, Hunhoff, David Johnson, Karr, and Pourier

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the report was adopted.

There being no objection, the House reverted to Order of Business No. 7 - Messages from the Senate.

## MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has appointed Senators Partridge, Brock Greenfield, and Heinert as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1266**.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has appointed Senators Maher, Foster, and Wiik as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1233**.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has appointed Senators Novstrup, Wismer, and Russell as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1213**.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has appointed Senators Cammack, Klumb, and Kennedy as a committee of three on the part of the Senate to meet with a like committee on the part of the House to adjust the differences between the two houses on **HB 1008**.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 157**.

Respectfully,  
Kay Johnson, Secretary

There being no objection, the House reverted to Order of Business No. 4 - Communications and Petitions.

## COMMUNICATIONS AND PETITIONS

March 11, 2020

Mr. Speaker and Members of the House of Representatives:

I have the honor to inform you that on March 11, 2020, I approved House Bills 1175, 1178, and 1279, and the same have been deposited in the office of the Secretary of State.

Respectfully submitted,  
Kristi Noem  
Governor

Also Mr. SPEAKER:

The Committee on Legislative Procedure respectfully reports that **HB 1034, 1035, 1044, 1045, 1065, 1067, 1068, 1090, 1092, 1100, 1119, 1140, 1166, 1187, 1189, 1195, 1199, 1205, 1206, 1207, 1216, 1227, 1228, and 1246** were delivered to her Excellency, the Governor, for her approval at 3:50 p.m., March 11, 2020.

Respectfully submitted,  
Steven G. Haugaard, Chair

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Joint Committee on Legislative Procedure respectfully reports that it has had under consideration the joint rules and recommends that the joint rules of the Ninety-fifth Legislative Session be adopted as the joint rules of the Ninety-sixth Legislative Session with the following changes:

Amend Chapter 6C of the Joint Rules as follows:

**6C-2. Deferral of bills without fiscal note.** The original copy of a bill or resolution for which a fiscal note has been requested shall be stamped by the bill clerk with the initials "F.N." include a notation of the requirement on the Legislative Research Council internet site for the bill or resolution. The completed fiscal note shall be displayed on the Legislative Research Council internet site before referral to a committee. ~~If the bill or resolution is reported back without a fiscal note, the presiding officer shall defer placing the bill or resolution~~ may be placed on the second reading calendar until the requested fiscal note is received. However, the presiding officer may place the bill or resolution on the second reading calendar if the presiding officer determines a fiscal note is no longer required.

**6C-3. Attaching-Displaying fiscal note to bill or resolution.** If a fiscal note is available, it shall be attached by the bill clerk at the end of the original copy of displayed on the Legislative Research Council internet site for the bill or resolution.

**6C-4. Retirement system actuarial statement.** Each bill introduced affecting the benefits payable by the state or a local government retirement system shall have an actuarial statement ~~attached to the bill~~ displayed on the Legislative Research Council internet site for the bill. The actuarial statement shall be requested from the governing board of the retirement system affected

and the statement shall identify the costs of the proposed change in the law as stated by the actuary for the affected retirement plan. If there is a doubt as to the need for an actuarial statement, the presiding officer shall make the final decision. After the bill is introduced, the ~~bill clerk shall attach the actuarial statement to the original bill~~ shall be displayed on the Legislative Research Council internet site for the bill.

Amend Chapter 7 of the Joint Rules as follows:

**~~7-1.6. Formal action-Final disposition required on all legislative proposals.~~** ~~Standing committees—A standing committee shall take formal action regarding final disposition on each legislative proposal submitted for their committee consideration.~~

**7-16. Motions.** When a question is under debate, no motion may be made except the following motions:

- (1) Adjourn; (nondebatable)
- (2) Recess;
- (3) Call the previous question; (nondebatable)
- (4) Lay on the table; (nondebatable)
- (5) Defer to the 41st day;
- (6) Do pass;
- (7) Do pass, amended;
- (8) Do not pass;
- (9) Do not pass, amended;
- (10) Without recommendation;
- (11) Without recommendation, amended;
- (12) Defer to a day certain;
- (13) Refer to another committee;
- (14) Refer to another committee, amended;
- (15) Refer to another committee, with or without recommendation;
- (16) Do adopt;
- (17) Do concur;
- (18) Amend
- ~~(16)~~(19) Approve or amend minutes; and
- ~~(17)~~(20) Appoint a subcommittee.

Amend Chapter 12 of the Joint Rules as follows:

**12-7. Voting standard.** Except when otherwise provided under the South Dakota Constitution, these joint rules, Senate rules, House rules, or South Dakota codified law, vote requirements for all motions shall be based on the majority of the members present and voting.

Amend Chapter 17 of the Joint Rules as follows:

## **CHAPTER 17. LEGISLATIVE DEADLINES**

<b>Legislative Deadlines</b>	
<b>Legislative Action</b>	<b>40 Day Session</b>
A. Last day for unlimited introduction of individual bills and joint resolutions <sup>1</sup>	12 <sup>th</sup> Day
B. Last day for introduction of individual bills and joint resolutions <sup>1</sup>	15 <sup>th</sup> Day
C. Last day for introduction of committee bills and joint resolutions <sup>1</sup>	16 <sup>th</sup> Day
D. Last day upon which Joint Rule 5-17 can be invoked on a bill or resolution in either house	<del>27<sup>th</sup></del> -26 <sup>th</sup> Day
E. Last day to move required delivery of bills or joint resolutions by a committee to the house of origin	<del>28<sup>th</sup></del> -27 <sup>th</sup> Day



F. Last day to pass bills or joint resolutions by the house of origin and to introduce House, Senate, or concurrent resolutions	29 <sup>th</sup> -28 <sup>th</sup> Day
G. Last day for introduction of commemorations	33 <sup>rd</sup> Day
H. During the seven final legislative days motions to reconsider and reconsideration being made upon the same day (any time before adjournment)	From 34 <sup>th</sup> Day on
I. Last day to move required delivery of bills or joint resolutions by a committee to the second house	35 <sup>th</sup> Day
J. Last day for a bill or joint resolution to pass both houses	36 <sup>th</sup> Day
K. The last day of a legislative session is reserved for the consideration of vetoes	40 <sup>th</sup> Day
<sup>1</sup> Bills and joint resolutions must be submitted to the Legislative Research Council at least 48 hours prior to this deadline, pursuant to Joint Rule 6A-5.	

**17-1. Exceptions to deadlines for appropriation bills.** Any general appropriation bill, any bill that amends a prior year's general appropriations bill, or any bill that adjusts school district property tax levies pursuant to an appropriations bill is not subject to the legislative deadlines of C, E, F, I, and J, in this chapter, except that the general appropriation bill requested by the Governor shall be subject to legislative deadline C.

Any appropriation bill that is not a general appropriation bill, which is referred to or reported to the floor by the ~~House Appropriations, the Senate Appropriations or the Joint Committee on Appropriations~~, is subject to the following legislative deadlines, in lieu of the legislative deadlines of E and F, in this chapter:

(1) Last day to move required delivery of bills by a committee to the house of origin: 31st Day;

(2) Last day to pass bills by the house of origin: 32nd Day.

The Joint Committee on Legislative Procedure also respectfully recommends the days of the Ninety-sixth Legislative Session be adopted as shown below:

## 96<sup>th</sup> SOUTH DAKOTA LEGISLATIVE SESSION CALENDAR

2021 40 Legislative Days

Please refer to the Joint Rules, Chapter 17 for complete information.

	Sun	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
						1	2
	3	4	5	6	7	8	9
	10	11	12 Session Opens 12 Noon(CST) State of the State  L.D. 1	13 State of the Judiciary  L.D. 2	14 State of the Tribes  L.D. 3	15  L.D. 4	16
	17	18 Martin Luther King Jr. Day	19 Executive orders filed (Constitution, Art. IV, Sec. 8)  L.D. 5	20  L.D. 6	21 Jt. Memorial Service 3:00pm  L.D. 7	22 Concurrent/House/Senate Resolutions limited introduction deadline (J.R. 6B-3)  L.D. 8	23
	24	25	26	27	28	29	30

1  
2  
3  
4  
5  
6  
7

			Bill draft requests submitted to LRC by 5:00pm (for unlimited introduction)		Last day for unlimited bill & joint resolution introduction (J.R. 6B-3) (TWO HOURS prior to session)		
		L.D. 9	L.D. 10	L.D. 11	L.D. 12		
February 2021	31	1	2	3	4	5	6
		All bill draft requests submitted to LRC by 5:00pm	Committee bill and joint resolution requests due to LRC by 5:00pm	Last day for introduction of individual bills and joint resolutions (TWO HOURS prior to session)	Last day for introduction of committee bills and joint resolutions (TWO HOURS prior to session) <i>Military Dining Out</i>		
		L.D. 13	L.D. 14	L.D. 15	L.D. 16	L.D. 17	
	7	8	9	10	11	12	13
		L.D. 18	L.D. 19	L.D. 20	Last day for JCA selection of general fund revenue targets (J.R. 7-11.1)		
					L.D. 21		
March 2021	14	15	16	17	18	19	20
		<i>Presidents' Day</i>					
			L.D. 22	L.D. 23	L.D. 24		
	21	22	23	24	25	26	27
			Last day to use J.R. 5-17	Concurrent resolution requests due to LRC by 5:00pm, and Last day to move required delivery of bills or resolutions by a committee to the house of origin	Last day to pass bills or joint resolutions by the house of origin (Crossover Day)		
		L.D. 25	L.D. 26	L.D. 27	L.D. 28		
March 2021	28	1	2	3	4	5	6
		Last day for final introduction of concurrent/House/Senate resolutions		Last day for JCA to move required delivery of special appropriation bills to house of origin (JR 17-1)	Last day for house of origin to pass special appropriation bills (JR 17-1)		
		L.D. 29	L.D. 30	L.D. 31	L.D. 32		
	7	8	9	10	11	12	13
		Last day for introduction of commemorations	J.R. 5-13 in effect	Last day to move required delivery of bills or joint resolutions by a committee to the second house	Last day for a bill or joint resolution to pass both houses		
		L.D. 33	L.D. 34	L.D. 35	L.D. 36		
March 2021	14	15	16	17	18	19	20
		L.D. 37	L.D. 38	L.D. 39			
	21	22	23	24	25	26	27
	28	29	30	31	1	2	3
						Reserved for consideration of gubernatorial vetoes	

1							L.D. 40	
2								

### REPORTS OF CONFERENCE COMMITTEES

MR. SPEAKER:

The Conference Committee respectfully reports that it has had under consideration **HB 1008** and the amendments thereto made, and the disagreement of the two houses thereon, and returns the same with the recommendation that the Senate and House do concur with the bill and be amended as follows:

1008J

On page 1, line 1, of the Senate bill, delete "implement a plan for hemp in South Dakota." and insert "legalize the growth, production, and transportation of industrial hemp in the state, to make an appropriation therefor, and to declare an emergency"

On the Senate bill, delete everything after the enacting clause and insert:

**"Section 1.** That a NEW SECTION be added:

38-35-1. Definitions.

Terms used in this chapter mean:

(1) "Department," the Department of Agriculture;

(2) "Hemp" or "industrial hemp," the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis;

(3) "Key participant," a sole proprietor, a partner in a partnership, or a person with executive managerial control in a corporation or limited liability company;

(4) "Industrial hemp product," a finished manufactured product, or consumer product containing cannabidiol that is packaged for individual sale, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent, derived from or made by processing industrial hemp;

(5) "Lot," a contiguous area in a field containing the same variety or strain of hemp throughout the area;

(6) "Process" or "processing," to convert or converting industrial hemp into industrial hemp product;

(7) "Processor," a person who processes industrial hemp;

(8) "Produce" or "producing," to grow or growing hemp plants in the field for processing;

(9) "Secretary," the secretary of the Department of Agriculture; and

(10) "Transporter," any person transporting, hauling, or delivering hemp, but not industrial hemp product or sterilized seeds that are incapable of beginning germination.

---

**Section 2.** That a NEW SECTION be added:

38-35-2. Purchasing, receiving, or obtaining industrial hemp--License required--Penalty.

No person may purchase, receive, or obtain industrial hemp, other than industrial hemp product, for planting, storing, propagating, producing, or processing unless the person has a license as provided by this chapter or is working under contract with or under the direction of a licensee. The licensee is responsible, either civilly or criminally, for any person working under contract with or under the direction of a licensee for all sections of this chapter.

It shall be a Class 2 misdemeanor to purchase, receive, or obtain industrial hemp, other than industrial hemp product, for planting, storing, propagating, producing, or processing without a license. No unlicensed person is subject to criminal penalties for possession or distribution of hemp seed.

A person, whether or not licensed, who possesses or distributes a product determined to meet the definition of marijuana is subject to prosecution and penalties for possession or distribution of marijuana under chapter 22-42.

**Section 3.** That a NEW SECTION be added:

38-35-3. Application for grower license.

After the department receives approval by the United States Secretary of Agriculture for the state plan submitted pursuant to § 38-35-15, any person seeking to purchase, receive, or obtain industrial hemp, other than industrial hemp product, for planting, storing, propagating, or producing shall apply to the secretary for a grower license on an application form prescribed by the department and submit a nonrefundable annual application fee. The department shall establish a sixty-day period in which an application must be received. The secretary shall deposit fees collected under this chapter in the hemp regulatory program fund.

No application for licensure to plant, grow, or produce industrial hemp may be for less than five contiguous outdoor acres.

**Section 4.** That a NEW SECTION be added:

38-35-4. Application for processor license--Fee--Location notice.

After the department receives approval by the United States Secretary of Agriculture for the state plan submitted pursuant to § 38-35-15, any person seeking to purchase, receive, or obtain industrial hemp, other than industrial hemp product, for processing shall apply to the secretary for a processor license on an application form prescribed by the department and submit a nonrefundable annual application fee. The applicant may submit an application form for a processor license at any time. The secretary shall deposit fees collected under this chapter in the hemp regulatory program fund.

The applicant shall provide to the department the street address, legal description, and global positioning system coordinates for any location where hemp will be processed under the processor's license and certify that any location where hemp is to be processed is under the control of the applicant. A processor licensee shall provide notice of any change in ownership or location to the department within two days of a change. A change of ownership or location automatically invalidates the license, and a new license must be obtained.

**Section 5.** That a NEW SECTION be added:

38-35-5. Criminal background check--Denial of license for conviction--Licensure exemption.

Each applicant for any license under this chapter, key participant, and landowner, if the applicant is the lessee, shall submit to a state and federal criminal background investigation by means of fingerprint checks by the Division of Criminal Investigation and the Federal Bureau of

Investigation. Upon application for a license, the department shall submit the completed fingerprint cards to the division. Upon completion of the criminal background check, the division shall forward to the department all information obtained as a result of the criminal background check. This information shall be obtained prior to licensure of the applicant. All costs or fees associated with the criminal background checks are the responsibility of the applicant. Information provided to the department under this section is confidential, is not public record, and is exempt from the provisions of chapter 1-27. However, the department may share this information with law enforcement and the Department of Public Safety. Failure to submit to or cooperate with a criminal background check is grounds for denial or revocation of a license. The secretary may deny licensure if any applicant, key participant, or landowner has been convicted of a misdemeanor or felony relating to a controlled substance or marijuana under state or federal law within the previous ten years. Licensure under this chapter is not required for employees of the state of South Dakota when performing official duties.

**Section 6.** That a NEW SECTION be added:

38-35-6. Hemp regulatory program fund--Purpose--Expenditures.

There is hereby created within the state treasury the hemp regulatory program fund, into which all application fees, license fees, inspection fees, and other fees or revenue paid to the state from the operation of the hemp regulatory program shall be deposited. All moneys in the fund created in this section shall be used for the purpose of administering the hemp regulatory program. Interest earned on money in the fund shall be deposited into the fund. Expenditures from the fund shall be appropriated through the normal budget process.

**Section 7.** That a NEW SECTION be added:

38-35-7. License issuance--Denial, revocation, or suspension--Contested case.

If the applicant has completed the application to the satisfaction of the secretary, paid the application fee, returned a criminal background check compliant with § 38-35-5, and is eligible for a license under this chapter, the secretary shall issue the license upon receipt of an annual license fee and upon the licensee's agreement and affirmance that as a continuing condition of licensure, the department shall have unlimited access to all lots or licensed locations processing hemp without prior notice to the licensee or the need to obtain a search warrant or court order for access to enforce the provisions of this chapter.

A grower license issued under this chapter is valid for fifteen months from the date of issuance. A processor license issued under this chapter expires on December thirty-first in the calendar year for which it was issued.

The department may deny, revoke, or suspend a license of any person who:

(1) Violates any provision of this chapter or administrative rule promulgated under the authority of this chapter;

(2) Violates any rule set forth by the United States Department of Agriculture regarding industrial hemp;

(3) Provides false or misleading information in connection with any application required by this chapter;

(4) Has been convicted of a misdemeanor or felony relating to a controlled substance or marijuana under state or federal law within the previous ten years; or

(5) Has been charged with or convicted of a misdemeanor or felony relating to a controlled substance or marijuana under state or federal law since the most recent criminal background check.

Any person whose license is denied, revoked, or suspended under this section may request a hearing pursuant to chapter 1-26.

---

**Section 8.** That a NEW SECTION be added:

38-35-8. Planting--Documentation to be filed--Contents.

Within thirty days of planting, each grower licensee under this chapter shall file with the department documentation as required by the secretary in order to identify the type and variety of each hemp seed planted with its corresponding lot. Any documentation provided under this section is not an open record pursuant to chapter 1-27 and may not be disclosed except to the Department of Public Safety or law enforcement. The department may make publicly available a list of all types and varieties of planted hemp seed submitted to the department.

**Section 9.** That a NEW SECTION be added:

38-35-9. Entrance by department--Consent--Fee--Inspection, confiscation, and disposal--Costs--Liability for destruction--Records.

The secretary shall contract with the Department of Public Safety to conduct inspections and sampling of each lot and any processor location. The department and the Department of Public Safety may enter on any land or other property where hemp is grown, produced, stored, or processed for the purpose of inspections, sample collection, testing, or investigation while enforcing this chapter. Any person who holds a license under this chapter is deemed to have given consent to the reasonable search and seizure of any hemp without a warrant to determine the lawful amount of delta-9 tetrahydrocannabinol concentration and for enforcement of the provisions of this chapter.

The secretary shall assess a grower inspection fee per lot for grower licensees and shall assess a processor inspection fee per location for processor licensees.

Any substance found to be in violation of this chapter is subject to confiscation and disposal at the direction of the Department of Public Safety. Any costs arising from the destruction, confiscation, or disposal are the responsibility of the grower, producer, processor, or owner of the substance. The state is not liable for any confiscation, seizure, disposal, or destruction of any substance carried out under this chapter. Any testing, inspection, and investigation results shall be provided to the licensee. Notice of any violation shall be provided to the licensee in writing. Inspection and investigation records are not open records pursuant to chapter 1-27.

**Section 10.** That a NEW SECTION be added:

38-35-10. Inspection timing and procedure--Disclose information.

Every lot of a grower licensee shall be inspected and samples collected no more than fifteen days before the hemp is harvested. The grower licensee shall contact the Department of Public Safety prior to harvest in order to ensure a reasonable amount of time to schedule an inspection. The grower licensee shall be present during the inspection. No harvested lot of hemp shall be commingled with another harvested lot of hemp or other material except with documented prior written permission by the department or the United States Department of Agriculture. No hemp may leave the dominion of control of the grower licensee until the grower licensee receives a laboratory result from the department that confirms each lot complies with 7 U.S.C. Chapter 38, Subchapter VII, as provided in 7 C.F.R 990.70(d) and 990.71(d) in effect as of January 1, 2020.

Any location of the processor licensee may be subject to random inspection. The processor licensee shall be present during the inspection.

**Section 11.** That a NEW SECTION be added:

38-35-11. Promulgation of rules--Fees.

The department shall promulgate rules, pursuant to chapter 1-26, to:

(1) Establish application, application form, licensure, and renewal procedures;

1       (2) Establish requirements to prevent the spread of hemp and hemp seeds from licensed land  
2       areas and provide for the assessment of costs for the remediation thereof;

3       (3) Establish criteria and procedures for denial, revocation, or suspension of a license under  
4       this chapter;

5       (4) Make any modification or addition to the hemp regulatory program in order to comply with  
6       any federal statutes or any rules and regulations regarding hemp enacted or implemented by the  
7       United States Department of Agriculture;

8       (5) Establish a nonrefundable annual license application fee not to exceed fifty dollars, an  
9       annual grower license fee not to exceed five hundred dollars, and an annual processor license fee  
10       not to exceed two thousand dollars;

11       (6) Establish procedures for the collection of planting and harvest data for each lot;

12       (7) Establish labeling requirements for hemp; and

13       (8) Establish rules for corrective action for negligent and culpable violations of this chapter.

14       **Section 12.** That a NEW SECTION be added:

15       38-35-12. Department of Health--Promulgation of rules.

16       The Department of Health shall promulgate rules, pursuant to chapter 1-26, to:

17       (1) Make any modification or addition to the hemp regulatory program in order to comply with  
18       any federal statutes or any rules and regulations regarding hemp enacted or implemented by the  
19       United States Department of Agriculture; and

20       (2) Establish testing procedures to determine the lawful amount of delta-9  
21       tetrahydrocannabinol concentration in hemp and certifying results.

22       **Section 13.** That a NEW SECTION be added:

23       38-35-13. Department of Public Safety--Promulgation of rules.

24       The Department of Public Safety shall promulgate rules, pursuant to chapter 1-26, to:

25       (1) Make any modification or addition to the hemp regulatory program in order to comply with  
26       any federal statutes or any rules and regulations regarding hemp enacted or implemented by the  
27       United States Department of Agriculture;

28       (2) Establish inspection procedures and requirements, a grower inspection fee per lot not to  
29       exceed two hundred fifty dollars, and a processor inspection fee per any processor location not to  
30       exceed five hundred dollars;

31       (3) Establish transportation and permit requirements including assessment of a permit fee not  
32       to exceed twenty-five dollars;

33       (4) Establish sampling and testing procedures to determine the lawful amount of delta-9  
34       tetrahydrocannabinol concentration in hemp; and

35       (5) Establish rules for corrective action for negligent and culpable violations of this chapter.

36       **Section 14.** That a NEW SECTION be added:

38-35-14. Testing samples--Exceeding concentration--Destruction of lot.

All testing shall be conducted by a laboratory approved by the Drug Enforcement Administration. If a test reveals a delta-9 tetrahydrocannabinol concentration of more than three-tenths of one percent but not more than five-tenths of one percent, the licensee may request a retest at the licensee's expense. If, upon the retesting, the delta-9 tetrahydrocannabinol concentration exceeds three-tenths of one percent, the entire lot from which the noncompliant sample was collected shall be destroyed as provided by § 38-35-9.

**Section 15.** That a NEW SECTION be added:

38-35-15. State hemp production plan--Submission to United States Department of Agriculture--Establishment of program.

The department shall work with the attorney general to develop a state hemp production plan and submit the plan to the United States Department of Agriculture for approval of a program to license the growth, production, storage, processing, and transportation of industrial hemp in South Dakota. The department shall establish a program once approval is received by the United States Department of Agriculture.

**Section 16.** That a NEW SECTION be added:

38-15-16. Transportation--Consent to search and seizure--Inspection by law enforcement--Penalty.

Any transporter is deemed to have given consent to the reasonable search and seizure by law enforcement of any hemp without a warrant to determine the lawful amount of delta-9 tetrahydrocannabinol concentration. Any law enforcement officer may require any transporter to stop for the purposes of inspection. During a stop, a law enforcement officer may collect a sample of any hemp for the purpose of testing for any concentration of delta-9 tetrahydrocannabinol that exceeds three-tenths of one percent on a dry weight basis. Each sample collected by law enforcement may not exceed eight ounces.

It is a Class 2 misdemeanor to transport industrial hemp, but not industrial hemp product, without appropriate documentation demonstrating compliance with an industrial hemp program of a federal, state, or tribal authority, in addition to any permit or documentation required by § 38-35-17.

**Section 17.** That a NEW SECTION be added:

38-35-17. Transportation permit requirements--Two types of transportation permits--Required documentation.

An industrial hemp transportation permit is required for any transporter traveling within or through the state. No person shall transport hemp in this state concurrently with any other plant material that is not hemp. During transportation, a transporter shall have the permit in the transporter's physical possession. The Department of Public Safety shall assess an industrial hemp transportation permit fee and the fee shall be deposited in the state highway fund. A transporter shall apply for an industrial hemp transportation permit on a form provided by the Department of Public Safety. The Department of Public Safety shall make available two types of an industrial hemp transportation permit.

Grower licensees pursuant to § 38-35-3 may apply for the grower licensee transportation permit that shall be exclusively for the transportation of the grower licensee's industrial hemp from the land as described in the licensee's application to the storage location as described in the licensee's application. The grower licensee shall exercise dominion of control over the means of transportation and the storage location at all times. The grower licensee transportation permit is valid for the length of the grower license. During transportation pursuant to the grower licensee transportation permit, the transporter may only be the grower licensee, a key participant, or a person working under contract with or under the direction of the grower licensee. The transporter



1 shall have in the transporter's physical possession a copy of the grower license under which the  
2 industrial hemp was grown or produced and a manifest that includes the following information about  
3 the industrial hemp being transported: the specific name and address of the transporter, the specific  
4 lot from which the hemp was harvested, the destination storage location for the hemp, and the type  
5 of vehicle being used.

6 All other transporters shall obtain the general hemp transportation permit. During  
7 transportation pursuant to the general hemp transportation permit, the transporter shall have in the  
8 transporter's physical possession the following documentation:

9 (1) A copy of the license under which the industrial hemp was grown or produced;

10 (2) A laboratory report produced by a Drug Enforcement Administration-registered laboratory  
11 that confirms the lot of origin of all hemp being transported complies with 7 U.S.C. Chapter 38,  
12 Subchapter VII, as provided in 7 C.F.R 990.70(d) and 990.71(d) in effect as of January 1, 2020;

13 (3) A signed affirmation from the licensee and the transporter that no illicit drugs or variations  
14 of hemp not explicitly authorized by 7 U.S.C. Chapter 38, Subchapter VII will be transported; and

15 (4) A bill of lading or manifest that includes the shipment contents, the specific name and  
16 address of the transporter, the specific name and address of the origin and lot of origin, the  
17 destination of the shipment, the total weight of the load, and the type of vehicle being used.

18 A transporter, applying for either type of permit, shall submit a permit form to the Department  
19 of Public Safety at least five business days before the trip. A transporter who falsifies any information  
20 contained on a permit form submitted to the Department of Public Safety shall be reported to the  
21 hemp program under which the industrial hemp being transported was grown, in addition to any  
22 other sanction or criminal charge allowed under this chapter or title 22. Failure to physically possess  
23 an appropriate permit and all proper documentation is probable cause to believe that the substance  
24 being transported is subject to the provisions of § 38-35-9 and is probable cause to believe that the  
25 transporter is subject to the provisions of chapter 22-42. No political subdivision, agency, law  
26 enforcement officer, or the state is liable for the seizure, spoilage, or destruction of any hemp  
27 shipment that does not meet the requirements of this chapter, regardless of whether the shipment  
28 is later established to be industrial hemp.

29 **Section 18.** That a NEW SECTION be added:

30 38-35-18. Rules of United States Department of Agriculture.

31 Each applicant, licensee, key participant, and transporter of industrial hemp, other than  
32 industrial hemp product, shall abide by any rules set forth by the United States Department of  
33 Agriculture.

34 **Section 19.** That a NEW SECTION be added:

35 38-35-19. Reporting to attorney general.

36 The attorney general shall annually collect and compile information, statistical and otherwise,  
37 which will, as far as practicable, present an accurate survey and may be useful in the study of the  
38 effect legalizing industrial hemp has had on controlled substance and marijuana prosecutions in this  
39 state, including the extent and character of alleged crimes not prosecuted or dismissed, the  
40 operations of police in drug investigations, the charging discretion of prosecuting attorneys, and the  
41 administration of criminal justice due to the legalization of industrial hemp. All information collected  
42 under this section shall be reported annually to the Governor and Legislature by December first each  
43 year.

---

**Section 20.** That a NEW SECTION be added:

38-35-20. Coordination with other government entities.

The department, Department of Health, and Department of Public Safety may provide to another state, local, tribal, or federal government entity, any specific licensee or permittee information as may be necessary to verify the legality or compliance of any licensee or permittee under this chapter. Application for, and receipt of, a license or permit under this chapter serves as the applicant's consent to provide information without prior notice or disclosure to the applicant that the information will be or has been shared.

**Section 21.** That a NEW SECTION be added:

38-35-21. Industrial hemp for smoking prohibited--Penalty.

The sale or use of industrial hemp for smoking or inhaling is prohibited. A violation of this section is a Class 1 misdemeanor.

**Section 22.** That § 22-42-1 be AMENDED:

22-42-1. Definition of terms.

Terms used in this chapter mean:

- (1) "Controlled drug or substance," a drug or substance, or an immediate precursor of a drug or substance, listed in Schedules I through IV. The term includes an altered state of a drug or substance listed in Schedules I through IV absorbed into the human body;
- (2) "Counterfeit substance," a controlled drug or substance which, or the container of labeling of which, without authorization, bears the trade-mark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who manufactured, distributed, or dispensed such substance and which thereby falsely purports or is represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser;
- (3) "Deliver" or "delivery," the actual or constructive transfer of a controlled drug, substance, or marijuana whether or not there exists an agency relationship;
- (4) "Dispense," to deliver a controlled drug or substance to the ultimate user or human research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery, and a dispenser is one who dispenses;
- (5) "Distribute," to deliver a controlled drug, substance, or marijuana. Distribution means the delivery of a controlled drug, substance, or marijuana;
- (6) "Manufacture," the production, preparation, propagation, compounding, or processing of a controlled drug or substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. A manufacturer includes any person who packages, repackages, or labels any container of any controlled drug or substance, except practitioners who dispense or compound prescription orders for delivery to the ultimate user;
- (7) "Marijuana," all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. and

any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis;

- (8) "Practitioner," a doctor of medicine, osteopathy, podiatry, dentistry, optometry, or veterinary medicine licensed to practice his profession, or pharmacists licensed to practice their profession; physician's assistants certified to practice their profession; government employees acting within the scope of their employment; and persons permitted by certificates issued by the Department of Health to distribute, dispense, conduct research with respect to, or administer a substance controlled by chapter 34-20B;
- (9) "Precursor" or "immediate precursor," a substance which the Department of Health has found to be and by rule designates as being a principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used, in the manufacture of a controlled drug or substance, the control of which is necessary to prevent, curtail, or limit such manufacture;
- (10) "Schedule I," "Schedule II," "Schedule III," and "Schedule IV," those schedules of drugs, substances, and immediate precursors listed in chapter 34-20B;
- (11) "Ultimate user," a person who lawfully possesses a controlled drug or substance for that person's own use or for the use of a member of that person's household or for administration to an animal owned by that person or by a member of that person's household.

**Section 23.** That § 34-20B-1 be AMENDED:

34-20B-1. Definitions.

Terms as used in this chapter mean:

- (1) "Administer," to deliver a controlled drug or substance to the ultimate user or human research subject by injection, inhalation, or ingestion, or by any other means;
- (2) "Agent," an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser and includes a common or contract carrier, public warehouseman, or employee thereof;
- (3) "Control," to add, remove, or change the placement of a drug, substance, or immediate precursor under §§ 34-20B-27 and 34-20B-28;
- (4) "Counterfeit substance," a controlled drug or substance which, or the container or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, number, or device, or any likeness thereof, of a manufacturer, distributor, or dispenser other than the person or persons who manufactured, distributed, or dispensed such substance and which thereby falsely purports or is represented to be the product of, or to have been distributed by, such other manufacturer, distributor, or dispenser;
- (5) "Deliver" or "delivery," the actual, constructive, or attempted transfer of a controlled drug, substance, or marijuana whether or not there exists an agency relationship;
- (6) "Department," the Department of Health created by chapter 1-43;
- (7) "Dispense," to deliver a controlled drug or substance to the ultimate user or human research subject by or pursuant to the lawful order of a practitioner, including the prescribing, administering, packaging, labeling, or compounding necessary to prepare the substance for such delivery, and a dispenser is one who dispenses;

- (8) "Distribute," to deliver a controlled drug, substance, or marijuana. A distributor is a person who delivers a controlled drug, substance, or marijuana;
- (9) "Hashish," the resin extracted from any part of any plant of the genus cannabis, ~~commonly known as the marijuana plant that contains a delta-9 tetrahydrocannabinol concentration of more than three-tenths of one percent on a dry weight basis;~~
- (10) "Imprisonment," imprisonment in the state penitentiary unless the penalty specifically provides for imprisonment in the county jail;
- (11) "Manufacture," the production, preparation, propagation, compounding, or processing of a controlled drug or substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis. A manufacturer includes any person who packages, repackages, or labels any container of any controlled drug or substance, except practitioners who dispense or compound prescription orders for delivery to the ultimate consumer;
- (12) "Marijuana," all parts of any plant of the genus cannabis, whether growing or not; the seeds thereof; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds. The term does not include fiber produced from the mature stalks of the plant, or oil or cake made from the seeds of the plant, or the resin when extracted from any part of the plant or cannabidiol; in a drug product approved by the United States Food and Drug Administration. The term does not include the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis;
- (13) "Narcotic drug," any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:
- (a) Opium, coca leaves, and opiates;
  - (b) A compound, manufacture, salt, derivative, or preparation of opium, coca leaves, or opiates;
  - (c) A substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in subsections (a) and (b) of this subdivision;
- except that the term, narcotic drug, as used in this chapter does not include decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine;
- (14) "Opiate" or "Opioid," any controlled drug or substance having an addiction-sustaining liability similar to morphine or being capable of conversion into a drug having such addiction-forming or addiction-sustaining liability;
- (15) "Opium poppy," the plant of the species papaver somniferum L., except the seeds thereof;
- (16) "Person," any corporation, association, limited liability company, partnership or one or more individuals;
- (17) "Poppy straw," all parts, except the seeds, of the opium poppy, after mowing;
- (18) "Practitioner," a doctor of medicine, osteopathy, podiatry, optometry, dentistry, or veterinary medicine licensed to practice their profession, or pharmacists licensed to practice their profession; physician assistants certified to practice their profession;

certified nurse practitioners and certified nurse midwives to practice their profession; government employees acting within the scope of their employment; and persons permitted by certificates issued by the department to distribute, dispense, conduct research with respect to, or administer a substance controlled by this chapter;

~~(18A)~~(19) "Prescribe," an order of a practitioner for a controlled drug or substance.

~~(19)~~(20) "Production," the manufacture, planting, cultivation, growing, or harvesting of a controlled drug or substance;

~~(20)~~(21) "State," the State of South Dakota;

~~(21)~~(22) "Ultimate user," a person who lawfully possesses a controlled drug or substance for personal use or for the use of a member of the person's household or for administration to an animal owned by the person or by a member of the person's household;

~~(22)~~(23) "Controlled substance analogue," any of the following:

(a) A substance that differs in its chemical structure to a controlled substance listed in or added to the schedule designated in schedule I or II only by substituting one or more hydrogens with halogens or by substituting one halogen with a different halogen; or

(b) A substance that is an alkyl homolog of a controlled substance listed in or added to schedule I or II; or

(c) A substance intended for human consumption; and

(i) The chemical structure of which is substantially similar to the chemical structure of a controlled substance in schedule I or II;

(ii) Which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II; or

(iii) With respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in schedule I or II;

However, the term, controlled substance analogue, does not include a controlled substance or any substance for which there is an approved new drug application.

**Section 24.** That § 34-20B-14 be AMENDED:

34-20B-14. Hallucinogenic substances specifically included in Schedule I.

Any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers, and salts of isomers, is included in Schedule I, unless specifically excepted, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Bufotenine;

(2) Diethyltryptamine (DET);

(3) Dimethyltryptamine (DMT);

- 
- 1 (4) 5-methoxy-N, N-Dimethyltryptamine (5-MeO-DMT);
- 2 (5) 5-methoxy-3, 4-methylenedioxy amphetamine;
- 3 (6) 4-bromo-2, 5-dimethoxyamphetamine;
- 4 (7) 4-methoxyamphetamine;
- 5 (8) 4-methoxymethamphetamine;
- 6 (9) 4-methyl-2, 5-dimethoxyamphetamine;
- 7 (10) Hashish and hash oil;
- 8 (11) Ibogaine;
- 9 (12) Lysergic acid diethylamide;
- 10 (13) Mescaline;
- 11 (14) N-ethyl-3-piperidyl benzilate;
- 12 (15) N-methyl-3-piperidyl benzilate;
- 13 (16) 1-(-(2-thienyl)cyclohexyl) piperidine (TCP);
- 14 (17) Peyote, except that when used as a sacramental in services of the Native American  
15 church in a natural state which is unaltered except for drying or curing and cutting or  
16 slicing, it is hereby excepted;
- 17 (18) Psilocybin;
- 18 (19) Psilocyn;
- 19 (20) Tetrahydrocannabinol, other than that which occurs in industrial hemp as defined in § 38-  
20 35-1 or marijuana in its natural and unaltered state, including any compound, except  
21 nabilone or compounds listed under a different schedule, structurally derived from 6,6'  
22 dimethyl-benzo[c]chromene by substitution at the 3-position with either alkyl (C3 to C8),  
23 methyl cycloalkyl, or adamantyl groups, whether or not the compound is further modified  
24 in any of the following ways:
- 25 (a) By partial to complete saturation of the C-ring; or
- 26 (b) By substitution at the 1-position with a hydroxyl or methoxy group; or
- 27 (c) By substitution at the 9-position with a hydroxyl, methyl, or methylhydroxyl group;  
28 or
- 29 (d) By modification of the possible 3-alkyl group with a 1,1' dimethyl moiety, a 1,1'  
30 cyclic moiety, an internal methylene group, an internal acetylene group, or a  
31 terminal halide, cyano, azido, or dimethylcarboxamido group.
- 32 Some trade and other names: JWH-051; JWH-057; JWH-133; JWH-359; HHC; AM-087;  
33 AM-411; AM-855, AM-905; AM-906; AM-2389; HU-210; HU-211; HU-243; HU-336;
- 34 (21) 3, 4, 5-trimethoxy amphetamine;
- 35 (22) 3, 4-methylenedioxy amphetamine;

- 
- (23) 3-methoxyamphetamine;
- (24) 2, 5-dimethoxyamphetamine;
- (25) 2-methoxyamphetamine;
- (26) 2-methoxymethamphetamine;
- (27) 3-methoxymethamphetamine;
- (28) Phencyclidine;
- (29) 3, 4-methylenedioxyamphetamine (MDMA);
- (30) 3, 4-methylenedioxy-N-ethylamphetamine;
- (31) N-hydroxy-3, 4-methylenedioxyamphetamine;
- (32) 4-methylaminorex (also known as 2-Amino-4-methyl/x-5-phenyl-2-oxazoline);
- (33) 2,5 Dimethoxy-4-ethylamphetamine;
- (34) N,N-Dimethylamphetamine;
- (35) 1-(1-(2-thienyl)cyclohexyl)pyrrolidine;
- (36) Aminorex;
- (37) Cathinone and other variations, defined as any compound, material, mixture, preparation or other product unless listed in another schedule or an approved FDA drug (e.g. bupropion, pyrovalerone), structurally derived from 2-aminopropan-1-one by substitution at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the compound is further modified in any of the following ways:
- (a) By substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy, haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring system by one or more other univalent substituents;
- (b) By substitution at the 3-position with an acyclic alkyl substituent;
- (c) By substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or methoxybenzyl groups or by inclusion of the 2-amino nitrogen atom in a cyclic structure.

Some trade or other names: methcathinone, 4-methyl-N-methylcathinone (mephedrone); 3,4-methylenedioxy-N-methylcathinone (methylone); 3,4-methylenedioxypropylpyrovalerone (MDPV); Naphthylpyrovalerone (naphyrone); 4-fluoromethcathinone (fledrone); 4-methoxymethcathinone (methedrone); Bk-PMMA); Ethcathinone (N-Ethylcathinone); 3,4-methylenedioxyethylcathinone (ethylone); Beta-keto-N-methyl-3,4-benzodioxolylbutanamine (butylone); N,N-dimethylcathinone (metamfepramone); Alpha-pyrrolidinopropiophenone (alpha-PPP); 4-methoxy-alpha-pyrrolidinopropiophenone (MOPPP); 3,4-methylenedioxyalphapyrrolidinopropiophenone (MDPPP); Alpha-pyrrolidinovalerophenone (alpha-PVP); 3-fluoromethcathinone; 4'-Methyl-alpha-pyrrolidinobutiophenone (MPBP); Methyl- $\alpha$ -pyrrolidinopropiophenone (MPPP); Methyl- $\alpha$ -pyrrolidino-hexanophenone (MPHP); Buphedrone; Methyl-N-ethylcathinone; Penthedrone; Dimethylmethcathinone (DMMC); Dimethylethcathinone (DMEC); Methylenedioxyethcathinone (MDMC); Pentylone; Ethylethcathinone; Ethylmethcathinone; Fluoroethcathinone; methyl-alpha-pyrrolidinobutiophenone (MPBP); Methylecathinone (MEC); Methylenedioxy-alpha-pyrrolidinobutiophenone (MDPBP); Methoxymethcathinone (MOMC); Methylbuphedrone

(MBP); Benzedrone (4-MBC); Dibutylone (DMBDB); Dimethylone (MDDMA); Diethylcathinone; Eutylone (EBDB); N-ethyl-N-Methylcathinone; N-ethylbuphedrone, 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (N-Ethylpentylone); 4'-Methyl-alpha-pyrrolidinopropiophenone (4-MEPPP, MPPP or MaPPP); alpha-Pyrrolidinobutiophenone (α;PBP); 1-(1,3-benzodioxol-5-yl)-2-(tert-butylamino)propan-1-one (Tertylone); 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)hexan-1-one (N-ethyl Hexylone);

(38) 2,5-Dimethoxy-4-ethylamphetamine (DOET);

(39) Alpha-ethyltryptamine;

(40) 4-Bromo-2,5-dimethoxy phenethylamine;

(41) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7);

(42) 1-(3-trifluoromethylphenyl) piperazine (TFMPP);

(43) Alpha-methyltryptamine (AMT);

(44) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

(45) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);

(46) Synthetic cannabinoids. Any material, compound, mixture, or preparation that is not listed as a controlled substance in another schedule, is not an FDA-approved drug, and contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric), homologues, modifications of the indole ring by nitrogen heterocyclic analog substitution or nitrogen heterocyclic analog substitution of the phenyl, benzyl, naphthyl, adamantly, cyclopropyl, cumyl, or propionaldehyde structure, and salts of isomers, homologues, and modifications, unless specifically excepted, whenever the existence of these salts, isomers, homologues, modifications, and salts of isomers, homologues, and modifications is possible within the specific chemical designation:

(a) Naphthoylindoles. Any compound containing a 2-(1-naphthoyl)indole or 3-(1-naphthoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, cyanoalkyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl ring to any extent.

Some trade or other names: JWH-015; 1-pentyl-3-(1-naphthoyl)indole (JWH-018); 1-hexyl-3-(1-naphthoyl)indole (JWH-019); 1-butyl-3-(1-naphthoyl)indole (JWH-073); 1-pentyl-3-[1-(4-methoxynaphthoyl)]indole (JWH-081); 1-pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122); 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200); JWH-210; JWH-398; 1-pentyl-3-(1-naphthoyl)indole (AM-678); 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201); WIN 55-212; JWH-004; JWH-007; JWH-009; JWH-011; JWH-016; JWH-020; JWH-022; JWH-046; JWH-047; JWH-048; JWH-049; JWH-050; JWH-070; JWH-071; JWH-072; JWH-076; JWH-079; JWH-080; JWH-082; JWH-094; JWH-096; JWH-098; JWH-116; JWH-120; JWH-148; JWH-149; JWH-164; JWH-166; JWH-180; JWH-181; JWH-182; JWH-189; JWH-193; JWH-198; JWH-211; JWH-212; JWH-213; JWH-234; JWH-235; JWH-236; JWH-239; JWH-240; JWH-241; JWH-258; JWH-262; JWH-386; JWH-387; JWH-394; JWH-395; JWH-397; JWH-399; JWH-400; JWH-412; JWH-413; JWH-414; JWH-415; JWH-424; AM-678; AM-1220; AM-1221; AM-1235; AM-2232, THJ-2201;



(b) Naphthylmethylindoles. Any compound containing a 1H-indol-2-yl-(1-naphthyl)methane or 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, cyanoalkyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the naphthyl ring to any extent.

Some trade or other names: JWH-175; JWH-184; JWH-185; JWH-192; JWH-194; JWH-195; JWH-196; JWH-197; JWH-199;

(c) Phenylacetylindoles. Any compound containing a 2-phenylacetylindole or 3-phenylacetylindole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, cyanoalkyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the phenyl ring to any extent.

Some trade or other names: 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (SR-18); 1-cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (RCS-8); 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250); 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203); JWH-167; JWH-201; JWH-202; JWH-204; JWH-205; JWH-206; JWH-207; JWH-208; JWH-209; JWH-237; JWH-248; JWH-249; JWH-251; JWH-253; JWH-302; JWH-303; JWH-304; JWH-305; JWH-306; JWH-311; JWH-312; JWH-313; JWH-314; JWH-315; JWH-316; Cannabipiperidiethanone;

(d) Benzoylindoles. Any compound containing a 2-(benzoyl)indole or 3-(benzoyl)indole structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, cyanoalkyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not further substituted on the indole ring to any extent and whether or not substituted on the phenyl ring to any extent.

Some trade or other names: 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694); 1-pentyl-3-[(4-methoxy)-benzoyl]indole (SR-19); Pravadoline (WIN 48,098); 1-pentyl-3-[(4-methoxy)-benzoyl]indole (RCS-4); AM-630; AM-661; AM-2233; AM-1241;

(e) Naphthoylpyrroles. Any compound containing a 2-(1-naphthoyl)pyrrole or 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, cyanoalkyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not further substituted on the pyrrole ring to any extent and whether or not substituted on the naphthyl ring to any extent.

Some trade or other names: JWH-307; JWH-030; JWH-031; JWH-145; JWH-146; JWH-147; JWH-150; JWH-156; JWH-242; JWH-243; JWH-244; JWH-245; JWH-246; JWH-292; JWH-293; JWH-308; JWH-309; JWH-346; JWH-348; JWH-363; JWH-364; JWH-365; JWH-367; JWH-368; JWH-369; JWH-370; JWH-371; JWH-373; JWH-392;

- (f) Naphthylmethylindenes. Any compound containing a naphthylideneindene structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, cyanoalkyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not further substituted on the indene ring to any extent and whether or not substituted on the naphthyl ring to any extent.
- Some trade or other names: JWH-171; JWH-176; JWH-220;
- (g) Cyclohexylphenols. Any compound containing a 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, or 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group, whether or not substituted on the cyclohexyl ring to any extent.
- Some trade or other names: 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47, 497 and homologues, which includes C8); cannabicyclohexanol; CP-55,490; CP-55,940; CP-56,667
- (h) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol. Some trade or other names: HU-210;
- (i) 2,3-Dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]-1,4-benzoxazin-6-yl]-1-naphthalenyl. Some trade or other names: WIN 55, 212-2;
- (j) Substituted Acetylindoles. Any compound containing a 2-acetyl indole or 3-acetyl indole structure substituted at the acetyl by replacement of the methyl group with a tetramethylcyclopropyl, adamantyl, benzyl, cumyl, or propionaldehyde substituent whether or not further substituted on the tetramethylcyclopropyl, adamantyl, benzyl, cumyl, or propionaldehyde substituent to any extent and whether or not further substituted at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or halobenzyl group whether or not further substituted on the indole ring to any extent.
- Some trade and or names: (1-Pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144); (1-(5-fluoropentyl)indol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (XLR-11); (1-(2-morpholin-4-ylethyl)-1H-indol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (A-796,260); 1-[(N-methylpiperidin-2-yl)methyl]-3-(adamant-1-oyl)indole (AM-1248); 1-Pentyl-3-(1-adamantoyl)indole (AB-001 and JWH-018 adamantyl analog); AM-679;
- (k) Substituted Carboxamide Indole. Any compound containing a 2-carboxamide indole or 3-carboxamide indole structure substituted at the nitrogen of the carboxamide with a tetramethylcyclopropyl, naphthyl, adamantyl, cumyl, phenyl, or propionaldehyde substituent, whether or not further substituted on the tetramethylcyclopropyl, adamantyl, cumyl, naphthyl, phenyl, or propionaldehyde substituent to any extent and whether or not further substituted at the nitrogen atom of the indole ring by an alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl, (tetrahydropyran-4-yl)methyl, benzyl, or

- 1 halobenzyl group whether or not further substituted on the indole ring to any  
2 extent.
- 3 Some trade and other names: JWH-018 adamantyl carboxamide; STS-135; MN-  
4 18; 5-Fluoro-MN-18, 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-  
5 pyrrolo[2,3-b]pyridine-3-carboxamide (5F-CUMYL-P7AICA) ; N-(Adamantan-1-  
6 yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5F-APINACA); methyl (2R)-  
7 2-[[1-(5-fluoropentyl)indazole-3-carbonyl]amino]-3,3-dimethylbutanoate (5F-  
8 ADB); N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-  
9 carboxamide (AB-CHMINACA); 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-  
10 indazole-3-carboxamide (4-CN-CUMYL-BUTINACA); methyl (2R)-2-[[1-(5-  
11 fluoropentyl)indazole-3-carbonyl]amino]-3,3-dimethylbutanoate (5F-ADB);N-(1-  
12 amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)indazole-3-  
13 carboxamide (ADB-CHMINACA or MAB-CHMINACA); methyl (2S)-2-[[1-[4-  
14 fluorophenyl)methyl]indazole-3-carbonyl]amino]-3,3-dimethylbutanoate  
15 (MDMB-FUBINACA); methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-  
16 3-methylbutanoate (MMB-CHMICA); methyl (2S)-2-[[1-[4-  
17 fluorophenyl)methyl]indazole-3-carbonyl]amino]-3-methylbutanoate (AMB-  
18 FUBINACA); Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-  
19 methylbutanoate (5F-AMB);
- 20 (I) Substituted Carboxylic Acid Indole. Any compound containing a 1H-indole-2-  
21 carboxylic acid or 1H-indole-3-carboxylic acid substituted at the hydroxyl group  
22 of the carboxylic acid with a phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,  
23 quinolinyl, isquinolinyl, cumyl, or propionaldehyde substituent whether or not  
24 further substituted on the phenyl, benzyl, naphthyl, adamantyl, cyclopropyl,  
25 cumyl, quinolinyl, isquinolinyl, or propionaldehyde substituent to any extent and  
26 whether or not further substituted at the nitrogen atom of the indole ring by an  
27 alkyl, haloalkyl, cyanoalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-  
28 methyl-2-piperidinyl)methyl, 2-(4-morpholinyl)ethyl, 1-(N-methyl-2-  
29 pyrrolidinyl)methyl, 1-(N-methyl-3-morpholinyl)methyl,  
30 tetrahydropyranylmethyl, benzyl, or halo benzyl group whether or not further  
31 substituted on the indole ring to any extent.
- 32 Some trade and other names: Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-  
33 carboxylate (NM2201);
- 34 (47) 6,7-dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine) (MDAI);
- 35 (48) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E);
- 36 (49) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D);
- 37 (50) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);
- 38 (51) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I);
- 39 (52) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);
- 40 (53) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);
- 41 (54) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 42 (55) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N);
- 43 (56) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);
- 44 (57) Substituted phenethylamine. Any compound, unless specifically exempt, listed as a  
45 controlled substance in another schedule or an approved FDA drug, structurally derived  
46 from phenylethan-2-amine by substitution on the phenyl ring in any of the following

ways, that is to say--by substitution with a fused methylenedioxy, fused furan, or fused tetrahydrofuran ring system; by substitution with two alkoxy groups; by substitution with one alkoxy and either one fused furan, tetrahydrofuran, or tetrahydropyran ring system; by substitution with two fused ring systems from any combination of the furan, tetrahydrofuran, or tetrahydropyran ring systems; whether or not the compound is further modified in any of the following ways:

- (a) By substitution on the phenyl ring by any halo, hydroxyl, alkyl, trifluoromethyl, alkoxy, or alkylthio groups;
- (b) By substitution on the 2-position by any alkyl groups; or
- (c) By substitution on the 2-amino nitrogen atom with acetyl, alkyl, dialkyl, benzyl, methoxybenzyl, or hydroxybenzyl groups.

Some trade and other names: 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine (2C-T or 4-methylthio-2,5-dimethoxyphenethylamine); 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine (DOI or 2, 5-Dimethoxy-4-iodoamphetamine); 1-(4-Bromo-2,5-dimethoxyphenyl)-2-aminopropane (DOB or 2,5-Dimethoxy-4-bromoamphetamine); 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine (DOC or 2,5-Dimethoxy-4-chloroamphetamine); 2-(4-bromo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (2C-B-NBOMe; 25B-NBOMe or 2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl)phenethylamine); 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (2C-I-NBOMe; 25I-NBOMe or 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine); N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)phenethylamine (Mescaline-NBOMe or 3,4,5-trimethoxy-(2-methoxybenzyl)phenethylamine); 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine (2C-C-NBOMe; 25C-NBOMe or 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine); 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4-yl)ethanamine (2CB-5-hemiFLY); 2-(8-bromo-2,3,6,7-tetrahydrofuro[2,3-f][1]benzofuran-4-yl)ethanamine (2C-B-FLY); 2-(10-Bromo-2,3,4,7,8,9-hexahydropyrano[2,3-g]chromen-5-yl)ethanamine (2C-B-butterFLY); -(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7-tetrahydrobenzo[1,2-b:4,5-b']difuran-4-yl)-2-aminoethane (2C-B-FLY-NBOMe); 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine (bromo-benzodifuranyl-isopropylamine or bromo-dragonFLY); -(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine (2C-I-NBOH or 25I-NBOH); 5-(2-Aminopropyl)benzofuran (5-APB); 6-(2-Aminopropyl)benzofuran (6-APB); 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB); 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB);

- (58) Substituted tryptamines. Any compound, unless specifically exempt, listed as a controlled substance in another schedule or an approved FDA drug, structurally derived from 2-(1H-indol-3-yl)ethanamine (i.e, tryptamine) by mono- or di-substitution of the amine nitrogen with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom in a cyclic structure whether or not the compound is further substituted at the alpha-position with an alkyl group or whether or not further substituted on the indole ring to any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy groups.

Some trade and other names: 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT); 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT or O-Acetylpsilocin); 4-hydroxy-N-methyl-N-ethyltryptamine (4-HO-MET); 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DIPT); 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);

- (59) Naphthalen-1-yl-(4-pentyloxynaphthalen-1-yl)methanone (CB-13);

- (60) N-Adamantyl-1-pentyl-1H-Indazole-3-carboxamide (AKB 48);

- (61) 1-(4-Fluorophenyl)piperazine (pFPP);

- (62) 1-(3-Chlorophenyl)piperazine (mCPP);

- (63) 1-(4-Methoxyphenyl)piperazine (pMeOPP);
- (64) 1,4-Dibenzylpiperazine (DBP);
- (65) Isopentedrone;
- (66) Fluoromethamphetamine;
- (67) Fluoroamphetamine;
- (68) Fluorococaine;
- (69) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- (70) 1-(5-fluoropentyl)-8-quinolinyl ester-1H-indole-3-carboxylic acid (5 Fluoro-PB-22);
- (71) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (AB-PINACA);
- (72) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide (5 Fluoro-AB-PINACA);
- (73) N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA);
- (74) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indole-3-carboxamide (ADB-PINACA (ADBICA));
- (75) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1H-indole-3-carboxamide (5 Fluoro-ADB-PINACA (5 Fluoro-ADBICA)); and
- (76) N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (ADB-FUBINACA).

**Section 25.** There is hereby appropriated from the general fund the sum of thirty-six thousand five hundred eighty-six dollars (\$36,586) to the Department of Agriculture, the sum of seven hundred five thousand seven hundred dollars (\$705,700) to the Department of Health, and the sum of one million one hundred fifty-seven thousand five hundred seventeen dollars (\$1,157,517) in other fund expenditure authority to the Department of Public Safety, or so much thereof as may be necessary, for the purpose of funding this Act.

**Section 26.** Expenditures for this Act shall be made by an appropriation of the Legislature through either the general appropriations act or a special appropriations bill.

**Section 27.** Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval."

1008K

On the previously adopted amendment (1008J), On page 26, line 22, after "(\$36,586)" insert ", or so much thereof as may be necessary,"

On the previously adopted amendment (1008J), On page 26, line 22, after "Agriculture" delete ", the sum of seven hundred five thousand seven hundred dollars (\$705,700) to the Department of Health, and the sum of one million one hundred fifty-seven thousand five hundred seventeen dollars (\$1,157,517) in other fund expenditure authority to the Department of Public Safety, or so much thereof as may be necessary, for the purpose of funding this Act"

On the previously adopted amendment (1008J), On page 26, after line 26, insert "

**Section 28.** There is hereby appropriated from the general fund the sum of seven hundred five thousand seven hundred dollars (\$705,700), or so much thereof as may be necessary, to the Department of Health."

On the previously adopted amendment (1008J), On page 26, after line 26, insert "

**Section 29.** There is hereby appropriated the sum of one million one hundred fifty-seven thousand five hundred seventeen dollars (\$1,157,517) in other fund expenditure authority, or so much thereof as may be necessary, to the Department of Public Safety."

On the previously adopted amendment (1008J), On page 26, after line 26, insert "

**Section 30.** The secretary of the Department of Agriculture shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized in section 25 of this Act."

On the previously adopted amendment (1008J), On page 26, after line 26, insert "

**Section 31.** The secretary of the Department of Health shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized in section 26 of this Act."

On the previously adopted amendment (1008J), On page 26, after line 26, insert "

**Section 32.** The secretary of the Department of Public Safety shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized in section 27 of this Act."

On the previously adopted amendment (1008J), On page 26, after line 26, insert "

**Section 33.** Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8."

On the previously adopted amendment (1008J), On page 26, line 27, after "Act." delete "Section 26. Expenditures for this Act shall be made by an appropriation of the Legislature through either the general appropriations act or a special appropriations bill."

And that as so amended, the Conference Committee report be adopted.

Respectfully submitted,  
Lee Qualm, Chair

Respectfully submitted,  
Gary L. Cammack, Chair

Also MR. SPEAKER:

The Conference Committee respectfully reports that it has had under consideration **SB 73** and the amendments thereto made, and the disagreement of the two houses thereon, and returns the same with the recommendation that the Senate and House do concur with the bill and be amended as follows:

73E

On page 1, line 8, of the House bill, delete "(1) It appears from the pleadings that the petitioner has been a resident of the county in which the petition is filed for at least six months;

(2) The petitioner is a victim of human trafficking;

(3) That sufficient basis exists to grant an exception to §§ 21-37-4 and 21-37-5;

(4) That the pleadings disclose if the petitioner has a protection order or restraining order;

(5) It appears to the court that the name change is in the petitioner's best interests; and

(6) The court finds that the name change is not done for the purposes of fraud.

" and insert "(1) The petitioner is over the age of eighteen years or is a guardian of a minor child;

(2) The petitioner or minor child has resided in the county in which the petition is filed for at least six months;

(3) (a) The petitioner or minor child is a victim of human trafficking and has a particularized need for a change of name to protect them from a person who victimized them such that there is a sufficient basis to grant an exception to the requirements of §§ 21-37-4 and 21-37-5; or

(b) The petitioner is an adult, is a victim of domestic abuse, has a protection order or a restraining order in effect, and the petitioner shows a particularized need for a change of name to protect the petitioner from the perpetrator such that there is a sufficient basis to grant an exception to the requirements of §§ 21-37-4 and 21-37-5;

(4) It appears to the court that the name change is in the petitioner's or minor child's best interests; and

(5) The court finds that the name change is not done for the purposes of fraud."

And that as so amended, the Conference Committee report be adopted.

Respectfully submitted,  
Jeff Monroe, Chair

Respectfully submitted,  
Timothy R. Johns, Chair

Also MR. SPEAKER:

The Conference Committee respectfully reports that it has had under consideration **SB 40** and the amendments thereto made by the House, and the disagreement of the two houses thereon, and recommends that the House and the Senate do not concur with the bill as amended, without recommendation as to reappointment.

Respectfully submitted,  
John Wiik, Chair

Respectfully submitted,  
Drew Dennert, Chair

Also MR. SPEAKER:

The Conference Committee respectfully reports that it has considered **SB2** and the amendments thereto made by the House, and the disagreements of the two houses thereon, and recommends that on the House engrossed bill, delete all amendments, thus restoring the bill to the introduced version.

Respectfully submitted,  
Jim Stalzer, Chair

Respectfully submitted,  
Kevin D. Jensen, Chair

#### MESSAGES FROM THE SENATE

Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has adopted the reports of the Conference Committees on **HB 1054** and **HCR 6012**.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has concurred in House amendments to **SB 26**.

Also Mr. SPEAKER:

I have the honor to inform your honorable body that the Senate has failed to concur in House amendments to **SB 144**.

Also MR. SPEAKER:

I have the honor to inform your honorable body that the Senate did not adopt the report of the Joint Committee on Legislative Procedure relative to the Joint Rules for the two houses for the Ninety-sixth Legislative Session.

Respectfully,  
Kay Johnson, Secretary

### MOTIONS AND RESOLUTIONS

Rep. Finck moved that a committee of three on the part of the House be appointed to meet with a like committee on the part of the Senate to adjust the difference between the two Houses on **SB 144**, pursuant to Joint Rule 8-1.

Which motion prevailed, and the Speaker appointed as such committee Reps. Finck, Chaffee, and Saba.

Rep. Qualm moved that when we adjourn today, we adjourn to convene at 10:00 a.m., Thursday, March 12, 2020, the 36<sup>th</sup> legislative day.

Rep. Hansen moved that the House do concur in Senate amendments to **HB 1088**.

The question being on Rep. Hansen's motion that the House do concur in Senate amendments to **HB 1088**.

And the roll being called:

Yeas 67, Nays 1, Excused 2, Absent 0

Yeas:

Anderson, Bartels, Barthel, Beal, Bordeaux, Borglum, Brunner, Chaffee, Chase, Cwach, Dennert, Deutsch, Diedrich, Duba, Duvall, Finck, Frye-Mueller, Goodwin, Gosch, Lana Greenfield, Gross, Hammock, Hansen, Healy, Howard, Hunhoff, Kevin Jensen, Johns, Chris Johnson, Karr, Koth, Latterell, Lesmeister, Livermont, Marty, McCleerey, Mills, Milstead, Miskimins, Mulally, Olson, Herman Otten, Overweg, Perry, Kent Peterson, Sue Peterson, Pischke, Post, Pourier, Qualm, Rasmussen, Reed, Reimer, Ring, Rounds, Saba, Jamie Smith, St. John, Steele, Sullivan, Wangsness, Weis, Wiese, Willadsen, York, Zikmund, and Speaker Haugaard

Nays:

Randolph



Excused:  
Glanzer and David Johnson

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

### SIGNING OF BILLS

The Speaker publicly read the title to

**HB 1034:** FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds for elderly persons and persons with a disability, and to declare an emergency.

**HB 1035:** FOR AN ACT ENTITLED, An Act to make an appropriation from the water and environment fund and its revolving fund subfunds for various water and environmental purposes, to revise the water resources projects list, and to declare an emergency.

**HB 1044:** FOR AN ACT ENTITLED, An Act to make an appropriation to the Board of Regents to fund the development of the Cyber Incubator and Entrepreneurial Center at Dakota State University and to declare an emergency.

**HB 1045:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the design, renovation of, and addition to, the E.Y. Berry Library on the campus of Black Hills State University and to make an appropriation therefor.

**HB 1065:** FOR AN ACT ENTITLED, An Act to revise drone surveillance protections.

**HB 1067:** FOR AN ACT ENTITLED, An Act to modify certain provisions regarding notice, service, and execution of judgments in forceable entry and detainer actions.

**HB 1068:** FOR AN ACT ENTITLED, An Act to include out-of-state convictions for the basis of an enhanced penalty for the crime of stalking.

**HB 1090:** FOR AN ACT ENTITLED, An Act to make an appropriation to evaluate the feasibility of the use of telehealth services within the criminal justice system and to declare an emergency.

**HB 1092:** FOR AN ACT ENTITLED, An Act to provide for an assumption of risk by any person engaged in off-road vehicle activity and to limit the liability of the renters of off-road vehicles under certain circumstances.

**HB 1100:** FOR AN ACT ENTITLED, An Act to make an appropriation to begin the research and development of a new bioprocessing facility and to declare an emergency.

**HB 1119:** FOR AN ACT ENTITLED, An Act to include certain offenses committed in another state for purposes of an enhanced penalty.

**HB 1140:** FOR AN ACT ENTITLED, An Act to provide for a regular review of parenting guidelines.

**HB 1166:** FOR AN ACT ENTITLED, An Act to revise provisions regarding the appointment of inactive watershed district boards and the reactivation of watershed districts and to declare an emergency.

**HB 1187:** FOR AN ACT ENTITLED, An Act to make an appropriation to upgrade the state radio infrastructure system and to declare an emergency.

**HB 1189:** FOR AN ACT ENTITLED, An Act to make an appropriation to expand rural access to broadband services and to declare an emergency.

1       **HB 1195:** FOR AN ACT ENTITLED, An Act to provide for the dismissal of charges against  
2 pregnant women for certain controlled substance offenses under certain circumstances.

3       **HB 1199:** FOR AN ACT ENTITLED, An Act to revise civil liability for riot and incitement to riot.

4       **HB 1205:** FOR AN ACT ENTITLED, An Act to revise provisions regarding a custodial parent  
5 relocating a minor child.

6       **HB 1206:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
7 commitment of a delinquent child to the Department of Corrections.

8       **HB 1207:** FOR AN ACT ENTITLED, An Act to extend the termination date for the Juvenile  
9 Justice Public Safety Oversight Council.

10       **HB 1216:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding sexual  
11 harassment.

12       **HB 1227:** FOR AN ACT ENTITLED, An Act to make an appropriation for the rural veterinary  
13 medical education program and to declare an emergency.

14       **HB 1228:** FOR AN ACT ENTITLED, An Act to include children with a hearing loss in the reporting  
15 criteria required for deaf and hard-of-hearing children.

16       **HB 1246:** FOR AN ACT ENTITLED, An Act to revise the attorney's fees allowed in a retaliation  
17 action against a lessor.

18       **SB 1:** FOR AN ACT ENTITLED, An Act to provide for the use of electronic communication in the  
19 involuntary commitment process and to declare an emergency.

20       **SB 4:** FOR AN ACT ENTITLED, An Act to provide for the designation of an appropriate regional  
21 facility by the Department of Social Services.

22       **SB 17:** FOR AN ACT ENTITLED, An Act to make an appropriation for the plugging and surface  
23 reclamation of natural gas wells and to declare an emergency.

24       **SB 18:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding professional  
25 counselors.

26       **SB 19:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding marriage and  
27 family therapists.

28       **SB 20:** FOR AN ACT ENTITLED, An Act to create a monitor to review and respond to complaints  
29 related to the care provided to youth in the custody or care of certain care facilities, treatment  
30 centers, and programs.

31       **SB 21:** FOR AN ACT ENTITLED, An Act to authorize temporary variable speed limits on state  
32 highways under certain circumstances.

33       **SB 24:** FOR AN ACT ENTITLED, An Act to revise the fees for pesticide registration, private  
34 applicator licenses, commercial applicator licenses, and pesticide dealer licenses.

35       **SB 25:** FOR AN ACT ENTITLED, An Act to establish certain requirements to maintain state  
36 compliance with the Master Settlement Agreement.

37       **SB 27:** FOR AN ACT ENTITLED, An Act to establish a missing persons clearinghouse.

38       **SB 33:** FOR AN ACT ENTITLED, An Act to authorize the Department of the Military to construct  
39 a storage building located in Brown County, to make an appropriation therefor, and to declare an  
40 emergency.

- 1       **SB 35:** FOR AN ACT ENTITLED, An Act to revise the appropriation for the State Veterans'  
2 Cemetery and to declare an emergency.
- 3       **SB 36:** FOR AN ACT ENTITLED, An Act to transfer funds from the budget reserve fund and to  
4 declare an emergency.
- 5       **SB 39:** FOR AN ACT ENTITLED, An Act to establish the Jobs for South Dakota's Graduates  
6 program and the special donation fund.
- 7       **SB 41:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract for the  
8 construction of a facilities building at the University of South Dakota and to make an appropriation  
9 therefor.
- 10       **SB 42:** FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to demolish three  
11 storage structures and contract for the construction of a grounds facility at the University of South  
12 Dakota and to make an appropriation therefor.
- 13       **SB 43:** FOR AN ACT ENTITLED, An Act to authorize the South Dakota Building Authority to  
14 issue revenue bonds to provide for maintenance and repair on facilities controlled by the Board of  
15 Regents and to provide appropriation therefor.
- 16       **SB 44:** FOR AN ACT ENTITLED, An Act to authorize the use of crime victims' compensation  
17 funds to reimburse law enforcement for certain emergency expenses incurred for victims.
- 18       **SB 45:** FOR AN ACT ENTITLED, An Act to transfer the functions of the South Dakota Value  
19 Added Finance Authority to the South Dakota Economic Development Finance Authority and the  
20 South Dakota Board of Economic Development and to abolish the South Dakota Value Added Finance  
21 Authority.
- 22       **SB 46:** FOR AN ACT ENTITLED, An Act to revise provisions related to the restoration to  
23 competency of criminal defendants.
- 24       **SB 47:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding sex offender  
25 registration statutes.
- 26       **SB 55:** FOR AN ACT ENTITLED, An Act to require the Board of Regents to assemble a task  
27 force to study the operations and functions of the institutions of higher education under the board's  
28 authority.
- 29       **SB 70:** FOR AN ACT ENTITLED, An Act to authorize the use of Spanish in obtaining certain  
30 driver licenses and permits.
- 31       **SB 71:** FOR AN ACT ENTITLED, An Act to revise the offenses for which an order for interception  
32 of communications may be granted.
- 33       **SB 81:** FOR AN ACT ENTITLED, An Act to establish eligibility criteria for out-of-state health  
34 institutions to receive financing from the Health and Educational Facilities Authority.
- 35       **SB 84:** FOR AN ACT ENTITLED, An Act to authorize service animals in-training to enter certain  
36 establishments.
- 37       **SB 89:** FOR AN ACT ENTITLED, An Act to revise provisions regarding victim's rights.
- 38       **SB 91:** FOR AN ACT ENTITLED, An Act to revise provisions regarding the salary for state's  
39 attorneys.
- 40       **SB 96:** FOR AN ACT ENTITLED, An Act to prohibit the denial of benefits based solely on a  
41 controlled substance felony.

1       **SB 97:** FOR AN ACT ENTITLED, An Act to title vehicles older than thirty years with no existing  
2       record.

3       **SB 98:** FOR AN ACT ENTITLED, An Act to extend the notification period for possession of a  
4       concealed pistol in the state capitol.

5       **SB 113:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding instruction  
6       permits and restricted minor's driving permits.

7       **SB 119:** FOR AN ACT ENTITLED, An Act to revise certain provisions regarding private  
8       placement insurance.

9       **SB 120:** FOR AN ACT ENTITLED, An Act to establish exceptions regarding the possession of a  
10      pistol by a minor.

11      **SB 124:** FOR AN ACT ENTITLED, An Act to to revise provisions regarding group pheasant hunts  
12      for disabled veterans.

13      **SB 128:** FOR AN ACT ENTITLED, An Act to revise entities who may contribute to a political  
14      committee.

15      **SB 135:** FOR AN ACT ENTITLED, An Act to increase the bid limit for certain public  
16      improvements.

17      **SB 136:** FOR AN ACT ENTITLED, An Act to authorize certain witnesses to be accompanied by  
18      a certified therapeutic dog in a criminal proceeding.

19      **SB 137:** FOR AN ACT ENTITLED, An Act to revise provisions for repair, replacement, and  
20      construction of sidewalks within a municipality.

21      **SB 139:** FOR AN ACT ENTITLED, An Act to revise provisions regarding replacement nursing  
22      facilities.

23      **SB 140:** FOR AN ACT ENTITLED, An Act to provide for the resolution of alleged certain disability  
24      violations.

25      **SB 142:** FOR AN ACT ENTITLED, An Act to establish certain restrictions regarding the state  
26      subsidized dual credit program.

27      **SB 146:** FOR AN ACT ENTITLED, An Act to revise provisions related to tribal identification  
28      cards.

29      **SB 148:** FOR AN ACT ENTITLED, An Act to adopt the Uniform Power of Attorney Act.

30      **SB 149:** FOR AN ACT ENTITLED, An Act to revise provisions regarding emblem specialty plates.

31      **SB 150:** FOR AN ACT ENTITLED, An Act to revise nonresident waterfowl licensure.

32      **SB 151:** FOR AN ACT ENTITLED, An Act to define critical infrastructure and revise certain  
33      crimes for the trespass or damage to critical infrastructure.

34      **SB 155:** FOR AN ACT ENTITLED, An Act to provide for step therapy protocol regarding certain  
35      prescription drugs.

36      **SB 156:** FOR AN ACT ENTITLED, An Act to repeal provisions regarding the South Dakota  
37      Veterans Commission.

38      **SB 160:** FOR AN ACT ENTITLED, An Act to authorize the construction and operation of a  
39      nursing home facility in Moody County, South Dakota, and to declare an emergency.

**SB 161:** FOR AN ACT ENTITLED, An Act to exempt certain real property from the special maintenance fee levy.

**SB 164:** FOR AN ACT ENTITLED, An Act to revise the penalties and provisions regarding approaching stopped vehicles.

**SB 167:** FOR AN ACT ENTITLED, An Act to revise a provision regarding eligibility for the South Dakota opportunity scholarship.

**SB 169:** FOR AN ACT ENTITLED, An Act to authorize the possession of a concealed pistol by employees in county courthouses.

**SB 180:** FOR AN ACT ENTITLED, An Act to repeal and revise certain provisions regarding the petition circulation process.

**SB 181:** FOR AN ACT ENTITLED, An Act to revise provisions regarding health benefit plans.

**SB 183:** FOR AN ACT ENTITLED, An Act to revise the signature requirements for the nominating petitions for certain elected offices.

**SB 186:** FOR AN ACT ENTITLED, An Act to revise certain leave policies for state employees.

And signed the same in the presence of the House.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 5:37 p.m. the House adjourned.

Mary Lou Goehring, Chief Clerk  
By Jackie Driscoll

