

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

357Q0049

## SENATE JUDICIARY ENGROSSED NO. **HB 1090** - 2/24/2009

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

Introduced by: Representatives Turbiville, Blake, Cutler, Engels, Kirkeby, Lucas, Moser, Street, and Verchio and Senators Miles, Abdallah, Hundstad, Maher, and Nelson

1 FOR AN ACT ENTITLED, An Act to prohibit the possession of Salvia divinorum or salvinorin  
2 A and to declare an emergency.

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

4 Section 1. No person may knowingly possess Salvia divinorum or salvinorin A. It is a Class  
5 1 misdemeanor to possess two ounces or less of Salvia divinorum or salvinorin A. It is a Class  
6 6 felony to possess more than two ounces of Salvia divinorum or salvinorin A.

7 Section 2. Whereas, this Act is necessary for the immediate preservation of the public peace,  
8 health, or safety, an emergency is hereby declared to exist, and this Act shall be in full force and  
9 effect from and after its passage and approval.

