

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

176E0125

## SENATE BILL NO. 73

Introduced by: Senators Volesky and Koetzle and Representatives Van Norman and  
Bradford

1 FOR AN ACT ENTITLED, An Act to allow the use of marijuana for certain medical purposes.

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

3 Section 1. Any person or primary caregiver of the person may cultivate or possess marijuana  
4 for the exclusive medicinal use of that person if the person has received a written or oral  
5 recommendation from a licensed physician for the use of marijuana for the treatment of glaucoma  
6 or the symptoms resulting from the administration of chemotherapy cancer treatment. For the  
7 purposes of this section, a primary caregiver is the person who consistently assumes  
8 responsibility for the housing, health, or safety of the person who has received a physician's  
9 recommendation to use marijuana.

10 Section 2. Any licensed physician may recommend the use of marijuana for the treatment of  
11 glaucoma or the symptoms resulting from the administration of chemotherapy cancer treatment.

12 Section 3. This Act supersedes any other provision of law that prohibits the use, cultivation,  
13 possession, or distribution of marijuana or the use or possession of drug paraphernalia.

14 Section 4. This Act supersedes any other provision of law that considers any act allowed by  
15 this Act to be unprofessional conduct.