



2024 South Dakota Legislature

House Bill 1036

Introduced by: **Representative Jensen** (Kevin)

1 **An Act to require that a dispensary post notice of the federal law regarding**
 2 **possession of a firearm and the use of marijuana and to provide a civil**
 3 **penalty.**

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

5 **Section 1. That chapter 34-20G be amended with a NEW SECTION:**

6 A dispensary shall post, at each entrance used by the public and at each cash
 7 register or point of sale, a conspicuous sign that:

8 (1) Is clearly visible to an individual, whether sitting or standing; and

9 (2) Contains the following words:

10 **WARNING: Federal law prohibits the possession of a firearm by certain**
 11 **individuals who are users of or addicted to marijuana. See 18 U.S.C. §**
 12 **922(g) (January 1, 2024).**

13 Except as otherwise provided, a dispensary that violates this section is subject to
 14 a civil penalty in the amount of two hundred and fifty dollars per day. The department
 15 shall assess the penalty and forward the amount collected to the state treasurer for deposit
 16 in the state general fund.

17 **Section 2. The department shall cease to enforce the requirements set forth in section 1 of**
 18 **this Act upon receiving a certification from the Attorney General indicating that federal law no**
 19 **longer prohibits the possession of a firearm by certain individuals who are users of or addicted**
 20 **to marijuana.**