

# State of South Dakota

NINETY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2019

664B0565

## SENATE BILL NO. 150

Introduced by: Senators Maher, Curd, Heinert, Kennedy, and Youngberg and  
Representatives Pischke, Dennert, Finck, Healy, Lesmeister, and Smith  
(Jamie)

1 FOR AN ACT ENTITLED, An Act to revise the penalty for possession of substances  
2 containing cannabis intended for consumption other than by smoking or inhalation.

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

4 Section 1. That chapter 22-42 be amended by adding a NEW SECTION to read:

5 Notwithstanding any other provision of law, unlawful possession of a preparation,  
6 compound, mixture, or substance that contains cannabis not in its natural and unaltered state or  
7 tetrahydrocannabinol, and no other controlled substance, that is intended for consumption other  
8 than by smoking or inhalation, including baked goods, candies, edibles, ointments, potable  
9 liquids, tinctures, or any other similar form, is exclusively punishable as a Class 1 misdemeanor,  
10 unless the preparation, compound, mixture, or substance contains more than five thousand  
11 milligrams of tetrahydrocannabinol, or unless possession is with the intent to distribute.

