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STATE OF SOUTH DAKOTA

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December 17, 2020

Governor Kristi Noem
Office of the Governor
500 E Capitol Ave
Pierre, SD 57501

Reed Holwegner, Director
Legislative Research Council
500 E. Capitol Ave
Pierre, SD 57501

RE: SD 2020 Hemp Report

Dear Governor Neom and Mr. Holwegner:

Pursuant to SDCL 38-35-19 here is the Hemp Report for 2020.

Law enforcement reported three violations of smoking hemp. A few offices reported that since the legalization of hemp, the State has not been able to identify the difference between legal hemp and illegal marijuana products. This issue has been mitigated to a large extent based upon the fact that admissions and/or confessions to the possession of a marijuana/THC substance has been obtained. There was little effect on law enforcement's ability to continue to prosecute illegal cases of marijuana and/or controlled substances cases to date. This may change as the production of hemp occurs in South Dakota. We anticipate the enactment of Amendment A (if it is upheld by the courts) and IM 26 to have a much larger impact on prosecutions than the early stages of the legalization of industrial hemp.

Please contact me if you have any other questions.

Sincerely,

Jason R. Ravnsborg
ATTORNEY GENERAL

JRR/dd