

2023 South Dakota Legislature

Senate Bill 134**AMENDMENT 134I
FOR THE HOUSE HEALTH AND HUMAN SERVICES
ENGROSSED BILL**

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

1 An Act to revise membership of the Medical Marijuana Oversight Committee.

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

3 Section 1. That § 34-20G-92 be AMENDED:

4 34-20G-92. The Executive Board of the Legislative Research Council shall appoint
5 an oversight committee comprised of: one member of the House of Representatives, one
6 member of the Senate, one Division of Criminal Investigation agent, one staff member
7 from the Office of the Attorney General, two representatives of law enforcement, one
8 representative from the department, one practitioner with experience in medical cannabis
9 issues, one nurse, one board member or principal officer of a cannabis testing facility, one
10 person with experience in policy development or implementation in the field of medical
11 cannabis, and three qualifying patients consisting of:

12 (1) Two members of the Senate;

13 (2) Two members of the House of Representatives;

14 (3) A physician licensed in accordance with chapter 36-4;

15 (4) A physician assistant licensed in accordance with chapter 36-4A;

16 (5) A certified nurse practitioner licensed in accordance with chapter 36-9A;

17 (6) A pharmacist licensed in accordance with chapter 36-11;

18 (7) The chief of police for a municipality having a population in excess of twenty-
19 thousand;

20 (8) The chief of police for a municipality having a population of twenty-thousand or
21 less; and

22 (9) A professional counselor licensed in accordance with chapter 36-32 or an addiction
23 counselor licensed in accordance with chapter 36-34.

24 Section 2. That § 34-20G-93 be AMENDED:

1 **34-20G-93.** The oversight committee shall meet at least two times per year for
 2 the purpose of evaluating and making recommendations to the Legislature and the
 3 department regarding:

- 4 (1) The ability of qualifying patients in all areas of the state to obtain timely access to
 5 high-quality medical cannabis;
- 6 (2) The effectiveness of the dispensaries and cultivation facilities, individually and
 7 together, in serving the needs of qualifying patients, including the provision of
 8 educational and support services by dispensaries, the reasonableness of their
 9 prices, whether they are generating any complaints or security problems, and the
 10 sufficiency of the number operating to serve the state's registered qualifying
 11 patients;
- 12 (3) The effectiveness of the cannabis testing facilities, including whether a sufficient
 13 number are operating;
- 14 (4) The sufficiency of the regulatory and security safeguards contained in this chapter
 15 and adopted by the department to ensure that access to and use of cannabis
 16 cultivated is provided only to cardholders;
- 17 (5) Any recommended additions or revisions to the department regulations or this
 18 chapter, including relating to security, safe handling, labeling, and nomenclature;
 19 and
- 20 (6) Any research studies regarding health effects of medical cannabis for patients.

21 The oversight committee shall ensure that it seeks relevant input from qualifying
 22 patients; designated caregivers; school boards and administrators; parents; municipal
 23 representatives; state agencies, including the Department of Health, the South Dakota
 24 Division of Criminal Investigation, and the Department of Public Safety; and medical
 25 cannabis establishments.

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