



Overview of Amendment A and Measure 26

Amendment A and Measure 26 will establish a commonsense approach to marijuana that provides relief to patients, improves public safety, and strengthens South Dakota's economy.



These measures will:

- Establish a medical marijuana program that allows patients, with approval from their doctor, to use marijuana to treat serious health conditions;
- Allow adults 21 and older to consume and purchase marijuana from well regulated, state-licensed businesses;
- Raise tax revenue from sales of non-medical marijuana to invest in South Dakota's public education system;
- Require the South Dakota state legislature to pass laws by 2022 regulating the production and sale of hemp.

Amendment A

- Legalizes possession of up to an ounce of marijuana for adults 21 as well as cultivation of up to three marijuana plants, if the individual lives in a city or town without a retail marijuana business.
- Tasks the State Dept. of Revenue to implement a system of licenses and regulations for adult-use marijuana establishments, including cultivation facilities, testing facilities, and retailers.
- Gives localities authority to issue additional regulations and licenses for adult-use marijuana establishments.
- Establishes a 15% tax on non-medical marijuana sales; after covering administrative costs, half of the revenue raised is directed to South Dakota public schools with the remainder would be deposited in the general fund.
- Requires the legislature to adopt laws for hemp and medical marijuana.

Measure 26

- Directs the South Dakota Department of Health to establish a registration system for patients with qualifying health conditions, including those that cause severe pain, seizures, muscle spasms, or nausea.
 - Requires patients to submit a written certification from a practitioner licensed to prescribe drugs.
 - Allows registered patients to possess up to three ounces of marijuana, with additional allowances for infused products and cultivated plants, as permitted by the Dept. of Health and the patient's physician.
 - Establishes a system of licenses and regulations administered by the Dept. of Health for medical marijuana cultivation facilities, dispensaries, manufacturing facilities, and testing laboratories.
 - Mandates the implementation of stringent rules related to packaging and labeling of products and puts limitations on advertising by medical marijuana establishments.
 - Prohibits the Dept. of Health from sharing private patient information for any reason other than enforcement of rules specified in the initiative.
 - Grants authority to local governments to establish additional regulations on medical marijuana establishments.
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Neither initiative would:

- Permit driving under the influence of marijuana;
 - Force employers to accommodate marijuana use or impairment at the workplace; or
 - Allow public consumption.
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Why should South Dakotans vote yes on Amendment A and Measure 26?

- To help veterans and others suffering from debilitating medical conditions.
 - To reduce the burden on police officers and allow law enforcement to focus more on serious public safety concerns.
 - To raise revenue for public schools and the state general fund while creating jobs and strengthening South Dakota's economy.
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