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S.D. SEC. OF STATE

Initiated Measure

Attorney General's Explanation

Title: An initiated measure to legalize certain amounts of marijuana, drugs made from marijuana, and drug paraphernalia, and to regulate and tax marijuana establishments.

Attorney General's Explanation: The measure makes it lawful under the laws of a political subdivision (county, city, etc.) to possess, grow, use, process, purchase, transport, or distribute certain amounts of marijuana and drugs made from marijuana. This includes some drugs that are felony controlled substances under existing State law. It also legalizes drug paraphernalia for people over age 21.

The measure prevents the State from seizing or forfeiting assets of a person involved in manufacturing, possessing, transporting, or trafficking certain amounts of marijuana or some kinds of controlled substances.

The measure authorizes local jurisdictions and the State Department of Revenue to regulate marijuana establishments. It imposes an excise tax payable by marijuana cultivation facilities for marijuana sales to other establishments.

For people who have already been convicted or incarcerated for non-violent drug-related offenses that this measure legalizes, their cases must be reviewed or sentences commuted.

With limited exceptions, the acts described in the measure would remain illegal under State or Federal law. This 35-section measure has numerous conflicts with other State laws and within the measure itself. Because its full scope and effect and unclear, judicial or legislative clarification will likely be necessary. A court may find portions of the measure unconstitutional.

Name of Sponsor : Angela Albonico- 605-641-5859
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Filed this 21st day of April 2017. This circulator is a volunteer and is not receiving any monies to circulate this petition.

April 2017
Shantal Krebs

SECRETARY OF STATE

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