INITIATIVE PETITION

WE, THE UNDERSIGNED qualified voters of the state of South Dakota, petition that the following proposed law be submitted to the voters of the state of South Dakota at the general election on November 3, 2020, for their approval or rejection pursuant to the Constitution of the State of South Dakota.

Title: An initiated measure to legalize marijuana for medical use.

Attorney General Explanation:
This measure legalizes medical use of marijuana by qualifying patients, including minors. “Medical use” includes the use, delivery, manufacture—and for State residents, cultivation of marijuana and marijuana-based products to treat or alleviate debilitating medical conditions certified by the practitioners certified by the Department of Health.

South Dakota patients must obtain a registration card from the State Department of Health. Non-residents may use out-of-state registration cards. Patients may designate caregivers to assist in their use of marijuana; the caregivers must register with the Department.

The measure legalizes marijuana testing, manufacturing, and cultivation facilities, as well as medical marijuana products. These establishments must register with the Department.

The measure legalizes some substances that are considered controlled substances under Federal law. Marijuana and its products remain illegal under Federal law. The measure limits State and local law enforcement’s ability to assist Federal law enforcement authorities.

The 95-section measure contains numerous other provisions not described here. It will likely require judicial or legislative clarification.

Be it enacted by the people of South Dakota.

The text of the proposed law is as follows:

Section 1. Terms used in this act means:
(a) "Allotted amount of cannabis" means: (a) Three ounces of cannabis or less.
(b) "Allotted amount of cannabis" means: (a) Three ounces of cannabis or less.
(c) "Cannabis" means the dried flower or flowering tops of the Cannabis sativa plant.
(d) "Cannabis" means the dried flower or flowering tops of the Cannabis sativa plant.
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Section 2. This act is severable. If any provision of this act or any application thereof to any person or circumstances is held invalid, the remainder of this act may be given effect by the court.

Section 3. This act is implemented on the day it becomes law.
INSTRUCTIONS TO SIGNERS:
1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

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VERIFICATION BY PERSON CIRCULATING PETITION
INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

Print name of the circulator: [Signature]
Residence Address: [Address]
City: [City]
State: [State]

I, under oath, state that I circulated the above petition, that each signer personally signed this petition in my presence, that I am not attesting to any signature obtained by any other person, that I am a resident of South Dakota, that I made reasonable inquiry and to the best of my knowledge each person signing the petition is a qualified voter in the county indicated on the signature line, that no state statute regarding petition circulation was knowingly violated, and that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration.

Sworn to before me this [Date] day of [Month], 2019.
(Seal)

My Commission Expires [Date]

Signature of Circulator

Signature of Officer Administering Oath

Title of Officer Administering Oath