

Attorney General Title:

An Initiated Measure Legalizing the Recreational Use, Possession, and Distribution of Marijuana

Attorney General Explanation:

This initiated measure allows individuals 21 years of age or older to possess, grow, ingest, and distribute marijuana or marijuana paraphernalia. Individuals may possess up to two ounces of marijuana in a form other than marijuana concentrate or other marijuana products. Individuals may possess up to six marijuana plants with no more than twelve plants per household. The measure also places limits on the possession of other forms of marijuana and marijuana products.

Under the measure, the possession, ingestion, and distribution of marijuana and marijuana paraphernalia remains illegal for individuals under the age of 21. Driving under the influence of marijuana remains illegal.

The measure restricts where individuals may possess or consume marijuana, such as schools or where tobacco is prohibited.

The measure allows employers to restrict an employee's use of marijuana. Property owners may also regulate the use of marijuana on their property.

The measure does not affect State laws dealing with hemp. It also does not change laws concerning the State's medical marijuana program.

The measure legalizes marijuana-derived substances considered felony controlled substances under State law. Marijuana remains illegal under federal law.

Judicial or legislative clarification of this measure may be necessary.

Fiscal Note:

The state and municipalities would collect minimal additional sales tax revenue, as the measure would not decriminalize the sale of cannabis but would decriminalize the sale of cannabis accessories. Counties could see incarceration expenses reduced by \$581,556 every year.

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Circulator Type: Paid

Circulator Payment: \$25 per hour

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SD Secretary of State

Filed this 18th day of

March 2024

Monica L. Johnson

SECRETARY OF STATE