

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

178Y0520

SENATE BILL NO. 157

Introduced by: Senators Nesiba, Heinert, Peters, and Sutton and Representatives Bordeaux, McCleerey, and Wismer

1 FOR AN ACT ENTITLED, An Act to create an exception for possession of a certain amount
2 of marijuana with a valid medical marijuana card from another state.

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

4 Section 1. That § 22-42-6 be amended to read:

5 22-42-6. No person may knowingly possess marijuana. It is a Class 1 misdemeanor to
6 possess two ounces of marijuana or less. It is a Class 6 felony to possess more than two ounces
7 of marijuana but less than one-half pound of marijuana. It is a Class 5 felony to possess one-half
8 pound but less than one pound of marijuana. It is a Class 4 felony to possess one to ten pounds
9 of marijuana. It is a Class 3 felony to possess more than ten pounds of marijuana. A civil penalty
10 may be imposed, in addition to any criminal penalty, upon a conviction of a violation of this
11 section not to exceed ten thousand dollars. This section does not apply to a person in possession
12 of five grams of marijuana or less if the person has a valid medical marijuana card issued by
13 another state.

