

State of South Dakota

NINETY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 2017

686Y0423

SENATE BILL NO. 95

Introduced by: Senators Curd, Heinert, and Maher and Representatives Gosch, Clark, Haggar, Johns, Lust, Tieszen, and Wismer

1 FOR AN ACT ENTITLED, An Act to add cannabidiol to the list of Schedule IV controlled
2 substances and to exclude it from the definition of marijuana.

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

4 Section 1. That subdivision (12) of § 34-20B-1 be amended to read:

5 (12) "Marijuana," all parts of any plant of the genus cannabis, whether growing or not; the
6 seeds thereof; and every compound, manufacture, salt, derivative, mixture, or
7 preparation of such plant or its seeds; ~~but~~. The term does not include fiber produced
8 from the mature stalks of ~~such the~~ plant, or oil or cake made from the seeds of ~~such~~
9 the plant, or the resin when extracted from any part of ~~such the~~ plant or cannabidiol,
10 a drug approved by the United States Food and Drug Administration;

11 Section 2. That § 34-20B-25 be amended to read:

12 34-20B-25. The following are included in Schedule IV:

13 (1) Chlordiazepoxide, but not including librax (chlordiazepoxide hydrochloride and
14 clindinium bromide) or menrium (chlordiazepoxide and water soluble esterified
15 estrogens);



- 1 (2) Clonazepam;
- 2 (3) Clorazepate;
- 3 (4) Diazepam;
- 4 (4A) Flunitrazepam;
- 5 (5) Flurazepam;
- 6 (6) Mebutamate;
- 7 (7) Oxazepam;
- 8 (8) Prazepam;
- 9 (9) Lorazepam;
- 10 (10) Triazolam;
- 11 (11) Any substance which contains any quantity of a benzodiazepine, or salt of
- 12 benzodiazepine, except substances which are specifically listed in other schedules;
- 13 (11A) Alprazolam;
- 14 (11B) Midazolam;
- 15 (11C) Temazepam;
- 16 (12) Repealed by SL 2003, ch 183, § 4;
- 17 (13) Cathine;
- 18 (14) Fencamfamine;
- 19 (15) Fenproporex;
- 20 (16) Mefenorex;
- 21 (17) Pyrovalerone;
- 22 (18) Propoxyphene;
- 23 (19) Pentazocine;
- 24 (20) Diethylpropion;

- 1 (21) Ethchlorvynol;
- 2 (22) Ethinamate;
- 3 (23) Fenfluramine;
- 4 (24) Mazindol;
- 5 (25) Mephobarbital;
- 6 (26) Methohexitol;
- 7 (27) Paraldehyde;
- 8 (28) Pemoline;
- 9 (29) Petrichloral;
- 10 (30) Phentermine;
- 11 (31) Barbitol;
- 12 (32) Phenobarbital;
- 13 (33) Meprobamate;
- 14 (34) Zolpidem;
- 15 (35) Butorphanol;
- 16 (36) Modafinil, including its salts, isomers, and salts of isomers;
- 17 (37) Sibutramine;
- 18 (38) Zaleplon;
- 19 (39) Dichloralphenazone;
- 20 (40) Zopiclone (also known as eszopiclone), including its salts, isomers, and salts of
- 21 isomers;
- 22 (41) Pregabalin;
- 23 (42) Lacosamide;
- 24 (43) Fospropofol, including its salts, isomers, and salts of isomers;

- 1 (44) Clobazam;
- 2 (45) Carisoprodol, including its salts, isomers, and salts of isomers;
- 3 (46) Ezogabine,[-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester],
4 including its salts, isomers, and salts of isomers;
- 5 (47) Lorcaserin, any material, compound, mixture, or preparation which contains any
6 quantity of the following substances, including its salts, isomers, and salts of isomers,
7 whenever the existence of such salts, isomers, and salts of isomers is possible;
- 8 (48) Alfaxalone, 5[alpha]-pregnan-3[alpha]-ol-11,20-dione, including its salts, isomers,
9 and salts of isomers;
- 10 (49) Tramadol, 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts,
11 optical and geometric isomers and salts of these isomers;
- 12 (50) Suvorexant, including its salts, isomers, and salts of isomers; ~~and~~
- 13 (51) Eluxadoline,(5-[[[(2S)-2-amino-3-[4-aminocarbonyl)-2,6-dimethylphenyl]-1-oxop
14 ropyl]][(1S)-1-(4-phenyl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic
15 acid) including its optical isomers and its salts, isomers, and salts of isomers; and
- 16 (52) Cannabidiol.