

Greater Sioux Falls Chamber of Commerce – Overview of Legalization of Marijuana for Recreational Use

Background

An Initiated Measure that would legalize the recreational use, possession, and distribution of Marijuana will appear before the South Dakota citizens on the 2024 General election Ballot for consideration. The language for the measure appears in part as follows.

Section 2. *“...the following acts, if done by a person at least twenty-one years of age, may not be an offense under state or local law, regulation, or ordinance”*

Section 2.1 *“Possessing, using, ingesting, inhaling, processing, or transporting not more than the possession limit of cannabis”*

Section 2.2 *“Possessing, planting, cultivating, harvesting, drying, processing, or manufacturing not more than six cannabis plants...”*

Section 2.3 *“Possessing, using, or manufacturing any cannabis accessory to a person twenty-one years of age or older”*

Section 2.4 *“Delivering, distributing, transferring, or selling a cannabis accessory to a person twenty-one years of age or older”*

The full language of the measure can be found at sdsos.gov

Workplace Impact

Legalization of marijuana for recreational use places a burden on employers. A study conducted by the National Institute on Drug Abuse states employees who tested positive for marijuana had 55% more industrial accidents, 85% more injuries and 75% greater absenteeism compared to those who tested negative. Decreased productivity, increased worker compensation and unemployment claims, high turnover, and lawsuits all negatively impact the bottom line for businesses.

Greater Sioux Falls Chamber’s Legislative Platform

The Greater Sioux Falls Chamber’s Legislative Platform opposes the legalization of cannabis for recreational use, should expansion occur, we encourage our elected officials to work prudently to implement the enacting law. Employer liability is a chief concern as there is no legal standard for determining when an employee is under the influence and when the employee is cognitively impaired. Additional employer concerns include workplace and patron safety, employer business insurance loss of coverage, and that cannabis remains an illegal substance at the federal level.



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Summary:

The Greater Sioux Falls Chamber of Commerce has taken a position to oppose Initiated Measure 29 and encourages a “NO” vote on the November ballot. The Greater Sioux Falls Chamber of Board of Directors is concerned about the workforce and business ramifications of IM-29. Employers already struggle to retain a reliable workforce and legalizing marijuana would further complicate this issue. In addition, and unlike alcohol, there is no standard of what constitutes impairment which creates a challenging human resource and legal environment for employers.