

ATTACHMENT #1

AMENDMENT TO THE ROSEBUD SIOUX TRIBE

LAW AND ORDER CODE TITLE FIVE, CHAPTER 28 & CHAPTER 29

AMENDMENTS TO ENACTED AS

ORDINANCE NO. 2020-07

DRUGS AND CONTROLLED SUBSTANCES SECTION 5-28-1, (7); SECTION 5-28-1, (17);
MARIJUANA 5-29-4; 5-29-5

CONFORMING AMENDMENTS.

- (1) Rosebud Sioux Tribe, Law and Order Code, Title 5, Chapter 28, Drugs And Controlled Substances, Section 1, Definitions, Section (7), "Marijuana," shall be amended **from** "~~...or preparation of such plants, its seeds, or resin;~~" **to read** "...or preparation of such plants, its seeds, or resin, with a delta-9 tetrahydrocannabinol concentration greater than the Acceptable Hemp THC Level (as defined in the Agricultural Code) on a dry weight basis." (RSTLOC 5-28-1, (7))
- (2) Rosebud Sioux Tribe, Law and Order Code, Title 5, Chapter 28, Drugs And Controlled Substances, Section 1, Definitions: Add new Section: "(17) "Hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than the Acceptable Hemp THC Level (as defined in the Agricultural Hemp Code) on a dry weight basis. Also the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination." (RSTLOC 5-28-1, (17))
- (3) Rosebud Sioux Tribe, Law and Order Code, Title 5, Chapter 29, Marijuana: ADD: "5-29-4. EXEMPTION FOR HEMP. Any Person growing or cultivating hemp, hemp seeds, or hemp propagules, processing, manufacturing, extracting, or producing hemp-based products, marketing, brokering, distributing, or selling, wholesale or retail, hemp or hemp-based products with a delta-9 tetrahydrocannabinol concentration of not more than the Acceptable Hemp THC Level (as defined in the Agricultural Hemp Code) on a dry weight basis and have a valid license, issued by the Rosebud Sioux Tribe, to do so will be exempt from 5-29-1, 5-29-2, 5-29-3. (RSTLOC 5-29-4).
- (1) Rosebud Sioux Tribe, Law and Order Code, Title 5, Chapter 29, Marijuana: ADD "5-29-5 DEFINITIONS: The term 'hemp' means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts,

and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than the Acceptable Hemp THC Level (as defined in the Agricultural Hemp Code) on a dry weight basis. Also the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination. The term 'marijuana' shall have the definition of RSTLOC 5-28-1, (7).

(5) This code shall be read to repeal or amend as necessary any prior conflicting codes.

ROSEBUD SIOUX TRIBE
Resolution No. 2020-114

WHEREAS, The Rosebud Sioux Tribe is a federally recognized Indian Tribe organized pursuant to the Indian Reorganization Act of 1934 and pertinent amendments thereof; and

WHEREAS, The Rosebud Sioux Tribe is governed by a Tribal Council made up of elected representatives who act in accordance with the powers granted to it by its Constitution and By-laws; and

WHEREAS, The Rosebud Sioux Tribal Council is authorized to promulgate and enforce ordinances for the maintenance of law and order, and to safeguard the peace and morals, and general welfare of the Tribe, pursuant to the Rosebud Sioux Tribe Constitution and By-Laws Article IV Sections1 (k), and (m), and

WHEREAS, The Rosebud Sioux Tribe is authorized to provide for the protection of all minors, mentally incompetent and any others who need protection or assistance for reason of health, age, or other extenuating circumstances, pursuant to Rosebud Sioux Tribe Constitution and By-laws Article IV Section 1 (q); and

WHEREAS, The Rosebud Sioux Tribe Governmental Affairs Committee has recommended the Rosebud Sioux Tribal Council amend and/or repeal Rosebud Sioux Tribe Law and Order Code Title 5, Chapter 29, DRUGS AND CONTROLLED SUBSTANCES, 5-28-1(7), 5-28-1 (17), and Chapter 29, MARIJUANA, 5-29-4, shall be amended and/or repealed, with amendments signified as underlined text, and repealed text with a strikethrough, in Attachment #1, and;


THEREFORE BE IT RESOLVED, that the Rosebud Sioux Tribal Council adopts and approves the recommendation of the RST Governmental Affairs Committee and amends the Rosebud Sioux Tribe Law and Order Code enacted as RST Ordinance No. 2020-07; and

BE IT ALSO RESOLVED, that the effective date of the amendments to the Rosebud Sioux Tribe Law and Order Code Title 5, Chapter Twenty-Eight and Chapter Twenty-nine, shall be final upon approval by the Rosebud Sioux Tribal Council.

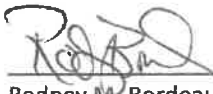
CERTIFICATION

This is to certify that the above petition Resolution No. 2020-114 and Ordinance 2020-07 was duly passed by the Rosebud Sioux Tribal Council for a first reading on May 14, 2020, by a vote of sixteen (16) in favor, zero (0) opposed and zero (0) not voting and ratified on May 26, 2020. A second reading was held on May 26, 2020, by a vote of sixteen (16) in favor, zero (0) opposed and zero (0) not voting. The said resolution was adopted pursuant to authority vested in the Council. A quorum was present.

ATTEST:



Wayne Boyd, Secretary
Rosebud Sioux Tribe



Rodney M. Bordeaux, President
Rosebud Sioux Tribe