

## SB 1005 A STAFF MEASURE SUMMARY

### Senate Committee On Judiciary

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**Action Date:** 04/09/19

**Action:** Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

**Vote:** 7-0-0-0

**Yeas:** 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Michael Lantz, Counsel

**Meeting Dates:** 4/5, 4/8, 4/9

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#### WHAT THE MEASURE DOES:

**Kratom:** Directs Oregon Department of Agriculture (ODA) to promulgate rules regarding the testing, labeling, and regulation of kratom. Requires kratom processors to register with ODA and allows ODA to assess registration fees. Prohibits purchase of kratom products by anyone under 21. Bans kratom products containing synthetic alkaloids, heightened levels of natural kratom alkaloids, and injurious or poisonous substances, including controlled substances. Gives ODA authority to seize and destroy nonconforming products. Creates civil and criminal penalties for violations of provisions and allows for civil action by public. Provides definitions. **Task Force on School Safety:** Extends sunset date of Task Force on School Safety (Task Force) until September 2021. Increases membership of Task Force from 16 to 18 members. Requires that a representative from the Oregon Health Authority and a representative from the Office of Emergency Management be a member of the Task Force. Requires the Task Force submit a third report concerning the floor plan database in the manner provided by ORS 192.245 no later than September 1, 2021. Declares emergency, takes effect July 1, 2019.

#### ISSUES DISCUSSED:

- Status of kratom in United States
- Danger of consuming tainted or adulterated kratom
- Ongoing work of Task Force on School Safety

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### BACKGROUND:

Kratom (*Mitragyna speciosa*) is a tree native to southeast Asia. When ingested, kratom leaves can have an effect similar to both opioids and stimulants. Kratom is used recreationally, to treat pain, or to limit the effects of opioid withdraw. However, there are few scientific studies on the effects of kratom use or the effectiveness of treatments involving kratom. Kratom is not currently regulated at the federal level, though several states have bans on the production and sale of kratom-containing products.

Senate Bill 1005 A directs the Oregon Department of Agriculture (ODA) to promulgate rules regarding the testing, labeling, and regulation of kratom. It requires processors who prepare, distribute, or sell kratom to register with ODA and allows ODA to assess registration fees. SB 1005 A also prohibits the purchase of kratom products by anyone under 21 and bans kratom products containing synthetic alkaloids, heightened levels of the natural kratom alkaloid 7-hydroxymitragynine, and injurious or poisonous substances, including controlled substances. Additionally, it gives ODA the authority to seize and destroy nonconforming products, creates civil and criminal penalties for violations of specific provisions, and allows for civil action by the public for damages. SB 1005 A also adds definitions for kratom processor, kratom product, and food.

## **SB 1005 A STAFF MEASURE SUMMARY**

The Task Force on School Safety was created in 2014, bringing together policy makers from the Governor's office, Legislative Assembly, education, law enforcement, fire and rescue, and public mental health to collectively focus on strengthening safety in Oregon schools. Since then, the Task Force has worked to share collective expertise, perspective, and resources and to identify effective, sustainable school safety strategies. The Task Force is scheduled to sunset on December 31, 2019.

Senate Bill 1005 A extends the sunset date of the Task Force until September 2021. It also increases the membership of the Task Force from 16 to 18 members and requires that those new members be representatives from the Oregon Health Authority and Oregon Office of Emergency Management.