

HB 2646 -1, -2 STAFF MEASURE SUMMARY

House Committee On General Government

Prepared By: Caine Francis, LPRO Analyst

Meeting Dates: 2/4, 3/4, 3/11, 4/6

WHAT THE MEASURE DOES:

Establishes regulations for the processing and sale of kratom products including labeling requirements. Imposes civil penalties for violations of regulations. Prohibits sales of kratom products to persons under 21 years of age. Directs the Department of Agriculture to adopt rules to carry out regulations. Becomes operative January 1, 2022; takes effect 91 days following adjournment sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Requires kratom products be registered with State Department of Agriculture; defines eligibility for product registration.

-2 Replaces the measure. Requires kratom products be registered with State Department of Agriculture (ODA); defines eligibility for product registration. Defines “retailer” as person that sells, distributes, or exposes for sale kratom products for personal consumption. Prohibits retailer from selling or distributing kratom products from kratom processor not registered with ODA, or to individuals under 21 years of age. Directs ODA to adopt rules to establish procedures for kratom product registration including a required affidavit certifying regulatory compliance, and procedures by which a person may submit complaints of regulatory violations. Takes effect 91st day following adjournment sine die.

BACKGROUND:

Kratom (*Mitragyna speciosa*) is a tree native to southeast Asia. Kratom leaves are typically chewed, brewed, or crushed into a bitter green powder and are sold in the United States as pills, capsules, teas, or extracts. Kratom consumption produces stimulant effects in low doses and sedative effects in high doses. Kratom is used recreationally, to treat pain, and for opioid cessation. However, there are few scientific studies on the effects of kratom use or the effectiveness of treatments involving kratom. The U.S. Drug Enforcement Administration lists kratom as a drug of concern and the U.S. Food and Drug Administration warned consumers in September 2019 not to use kratom as it appears to have properties that expose users to the risks of addiction, abuse, and dependence.

House Bill 2646 establishes regulations for the processing, sale, and distribution of kratom products to prohibit contamination and establish labeling requirements. Imposes civil penalties for violations. Prohibits the sale of kratom products to persons under 21 years of age, and directs the State Department of Agriculture to adopt rules to carry out regulations.