

KRATOM: SUMMARY OF STATE LAWS

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KRATOM: SUMMARY OF STATE LAWS

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SUMMARY

Kratom is an herb derived from a leafy Southeast Asian tree, known formally as *Mitragyna speciosa*.¹ It contains two psychoactive compounds, mitragynine and 7-hydroxymitragynine; both of these compounds can bind to μ -opioid receptors in the brain and produce a pharmacological response similar to effects produced by other μ -opioid agonists, such as morphine.² Kratom produces a mild stimulant effect in small doses, opioid-like effects in moderate to high doses, and sedative properties in very high doses.³ An estimated 11 to 15 million Americans consume kratom products regularly.⁴ For more information about the history of kratom and its uses, please see the Legislative Analysis and Public Policy Association (LAPPA)'s [kratom factsheet](#).

At the federal level, kratom products are not specifically regulated, and kratom, mitragynine, or 7-hydroxymitragynine are not considered controlled substances. Within the past decade, however, some states have placed limitations on—without wholly prohibiting—the possession, distribution, sale, and/or manufacture of kratom products. These limitations occasionally involve setting forth specific information that must be disclosed on a kratom product's label. In contrast, several other states designated mitragynine and 7-hydroxymitragynine as Schedule I controlled substances, thus making kratom products illegal.

During 2022, LAPPA undertook a research project to identify both currently-in-force statutes and recently proposed legislation, throughout all 50 states, the District of Columbia, and the U.S. territories regarding how they addressed kratom, mitragynine, and 7-hydroxymitragynine. LAPPA is aware that city and county ordinances related to kratom exist, however, keeping track of new and amended local laws is difficult due to the fact there is no legal database containing the municipal code for all U.S. counties and incorporated places. This document contains the results of this research project, updated periodically and in early 2025 since its initial publication. Starting on page 8, LAPPA provides jurisdiction-by-jurisdiction tables describing aspects of each law currently in effect as of April 2025, including:

- Statutory or regulatory citation(s), if any;
- Dates of substantive amendments to the cited statutes or regulations, if any;
- Whether kratom or its related substances are controlled in the jurisdiction;
- Defined terms;

¹ Laurie McGinley and Katie Zezima, “Kratom is hailed as a natural pain remedy, assailed as an addictive killer. The U.S. wants to treat it like heroin,” *Washington Post*, February 10, 2018,

https://www.washingtonpost.com/national/health-science/kratom-is-hailed-as-a-natural-pain-remedy-assailed-as-an-addictive-killer-the-us-wants-to-treat-it-like-heroin/2018/02/10/aaf4bf7c-077e-11e8-b48c-b07fea957bd5_story.html.

² Ike Swetlitz, “HHS recommended that DEA make kratom a Schedule I drug, like LSD or heroin,” *Stat*, November 9, 2018, <https://www.statnews.com/2018/11/09/hhs-recommended-dea-ban-kratom-documents-show/>.

³ Joey Garrison, “Poison reports related to herbal drug kratom soar, new study says,” *USA Today*, February 24, 2019, <https://www.usatoday.com/story/news/nation/2019/02/23/kratom-poisonings-herbal-drug-used-opioid-withdrawal-soar/2949239002/>.

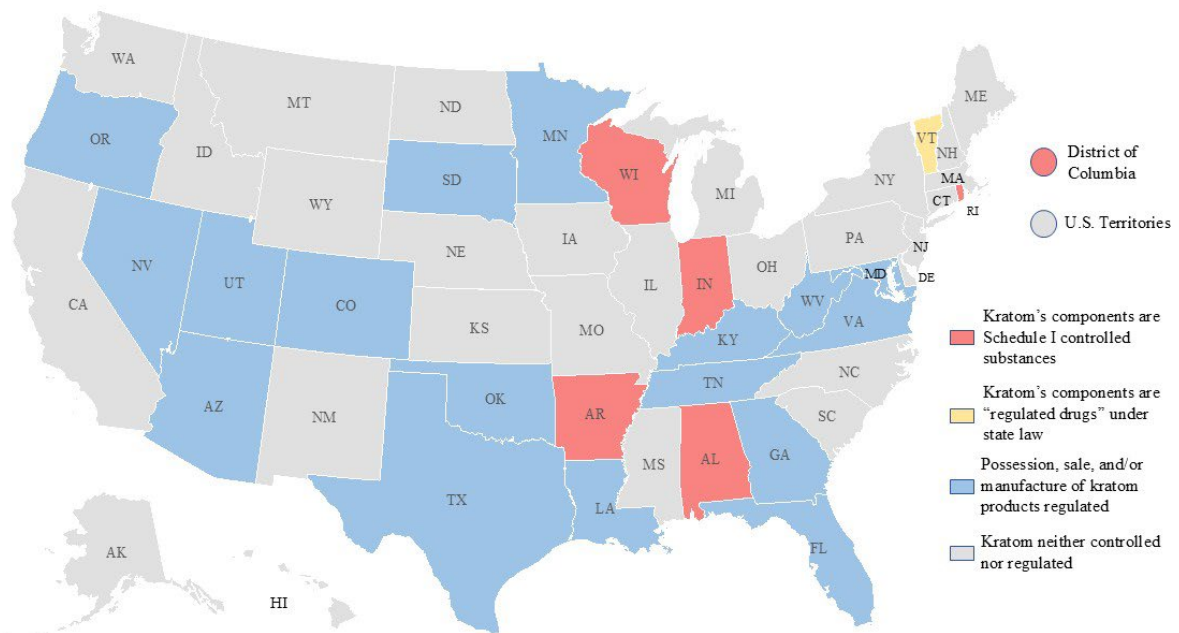
⁴ “Policy Brief: What is Kratom?,” American Kratom Association, last modified January 2021, https://assets.website-files.com/61858fcec654303987617512/619ddeac793d144d09fbc28a_aka-policy-brief-1---what-is-kratom-jan-2021.pdf.

- Limitations on the possession, distribution, sale, or manufacture of kratom products;
- Requirements for kratom product labels;
- Penalties for violations;
- Other kratom related provisions of note; and
- Recently introduced, but not enacted, legislation (as of the July 2023 update, all recently introduced legislation is in one section at the end of the document).

LAPPA designed this document to: (1) provide a singular resource for each jurisdiction’s laws; (2) allow for a comparison of these laws between jurisdictions; and (3) identify and highlight interesting provisions. The primary conclusions from the research and analysis are set forth below accompanied by several maps depicting many of the results in graphic form.⁵

- As of April 2025, 24 states and the District of Columbia regulate kratom or its components in some manner. In six states (Alabama, Arkansas, Indiana, Rhode Island, Vermont, and Wisconsin) and the District of Columbia, kratom’s psychoactive components are considered controlled substances.⁶ In 18 states, the possession, sale, manufacture, etc. of kratom products is regulated. Twenty-six states do not control or

Kratom: Regulation of Components and Products



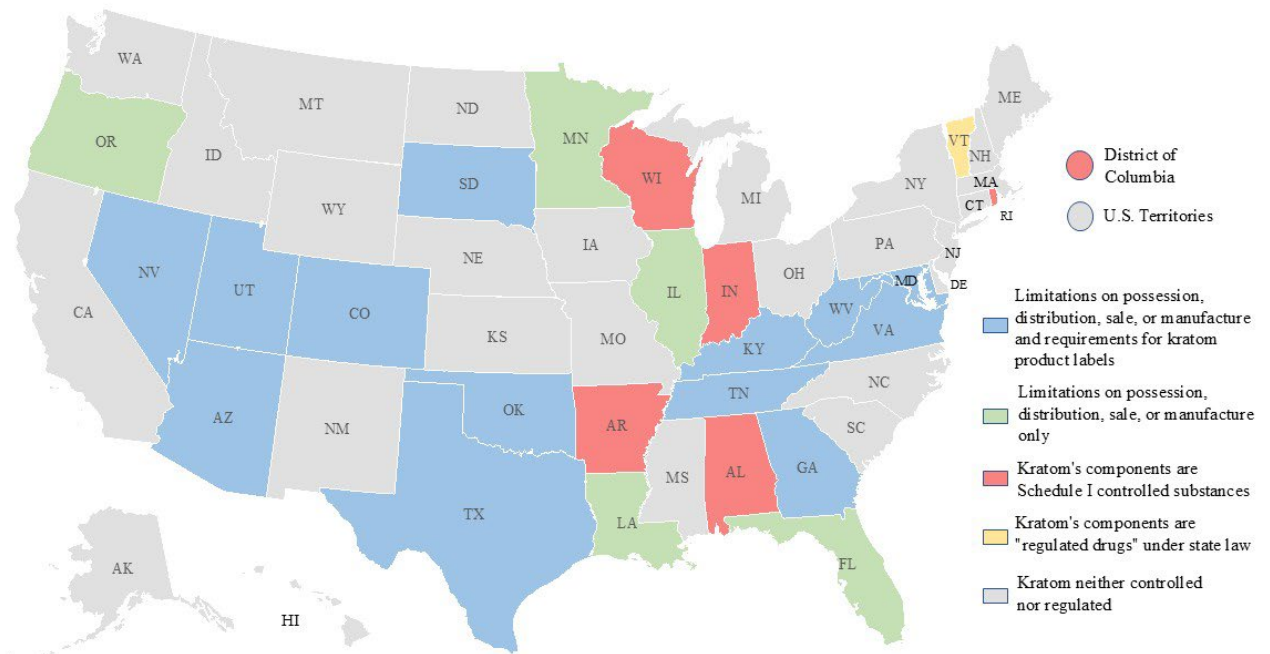
⁵ The goal of this research document is to provide accurate and complete information that is free of omissions or errors. If you believe that this document contains misinformation, omissions, or errors, please email LAPPA at info@thelappa.org.

⁶ In Vermont, kratom’s components are “regulated drugs,” making them generally illegal except as specifically allowed. VT. STAT. ANN. tit. 18, § 4205 (West 2025). In the remaining jurisdictions, kratom components are Schedule I controlled substances.

regulate kratom. Additionally, kratom is not regulated or controlled in any of the U.S. territories.

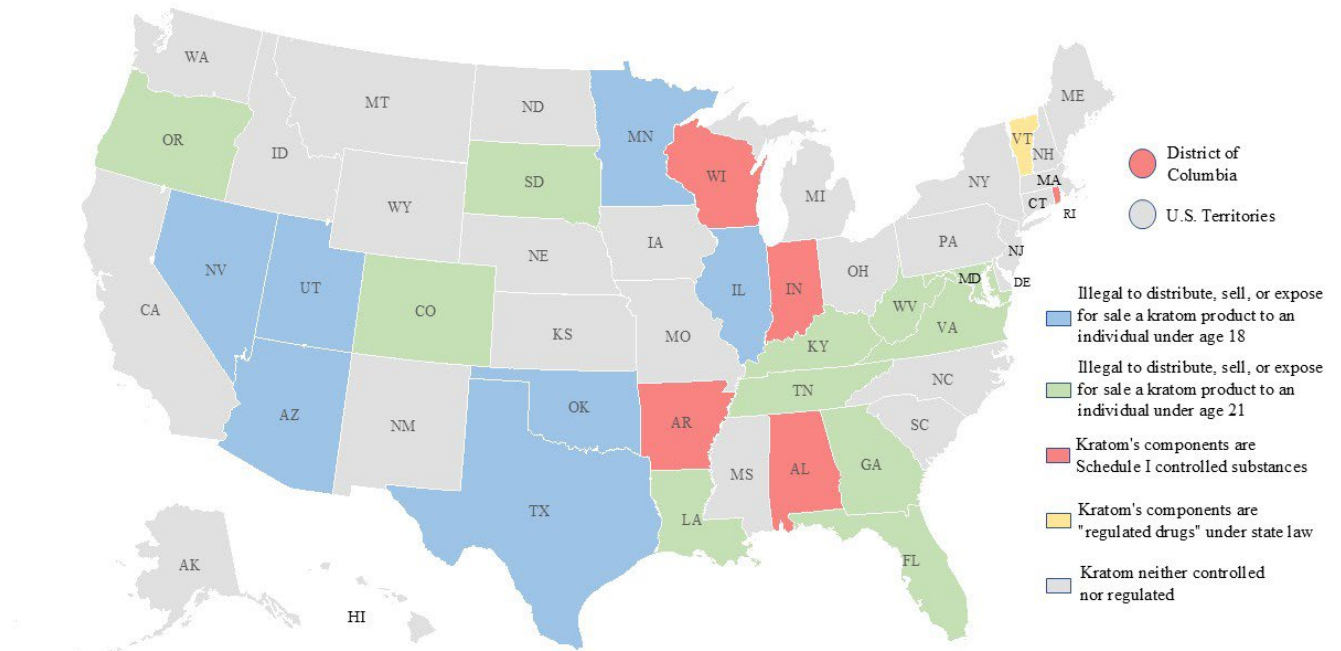
- Of the 18 states in which the possession, distribution, sale, or manufacture of kratom products is regulated, 13 states (Arizona, Colorado, Georgia, Kentucky, Maryland, Nevada, Oklahoma, South Dakota, Tennessee, Texas, Utah, Virginia, and West Virginia) also place requirements on kratom product labels. In the other five states (Florida, Illinois, Louisiana, Minnesota, and Oregon), there are no product labeling requirements.

Kratom: Types of Product Regulation



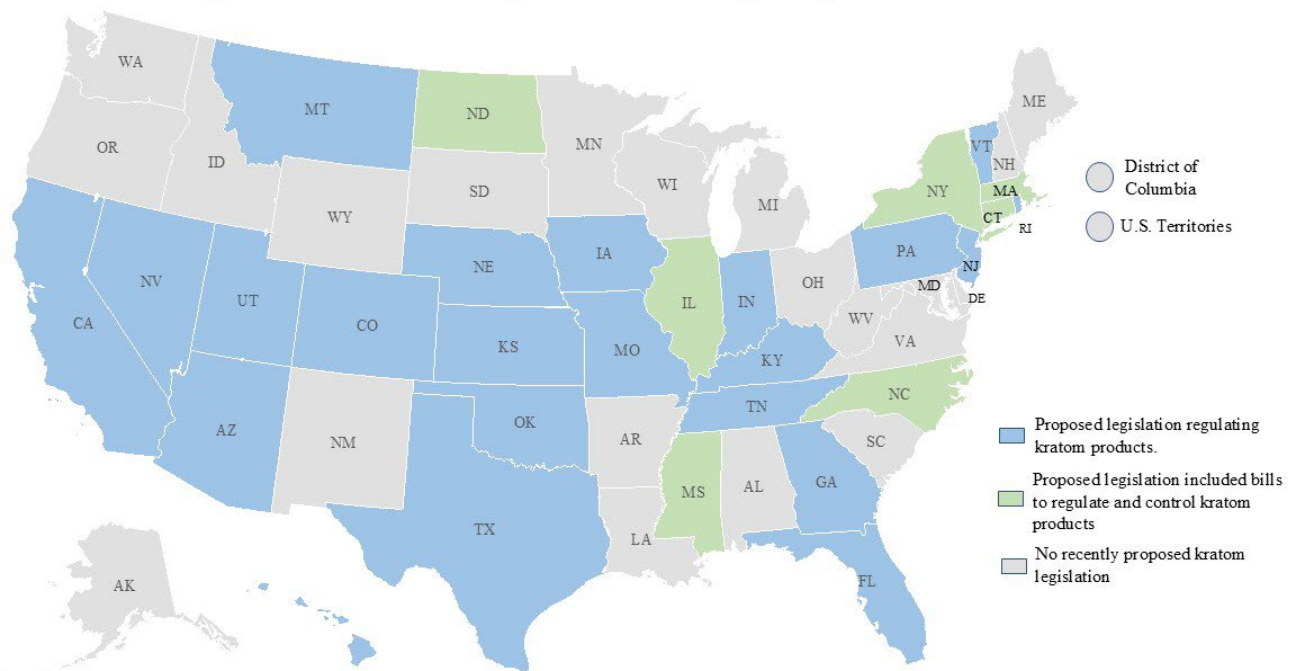
- In all 18 states where the possession, distribution, sale, or manufacture of kratom products is regulated, the regulation contains age restrictions. In seven states (Arizona, Illinois, Minnesota, Nevada, Oklahoma, Texas, and Utah), kratom products are restricted to individuals over the age of 18. In the other 11 states (Colorado, Florida, Georgia, Louisiana, Maryland, Oregon, South Dakota, Tennessee, Virginia, and West Virginia), the age restriction is age 21 and older.

Kratom: Age Restrictions on Products



- During 2024 and 2025, 29 states introduced legislation related to kratom. Of those 29 states, 22 states introduced legislation to regulate the possession, distribution, sale, or manufacture of kratom products in some fashion. Seven states (Connecticut, Illinois, Massachusetts, Mississippi, New York, North Carolina, and North Dakota) introduced dueling pieces of legislation—that is, state legislators introduced at least one bill to schedule or criminalize kratom components and at least one bill to regulate the possession, distribution, sale, or manufacture of kratom products. The conflictive nature of the proposed legislation underscores the controversies involving kratom and differing perspectives of its use and safety. For more information about the differing perspectives of kratom’s use and safety, see LAPPA’s [kratom factsheet](#).

Kratom: Proposed 2024 and 2025 Legislation Addressing Components or Products



<u>ALABAMA</u>	
Statute(s) and/or regulation(s)	ALA. CODE § 20-2-23 (West 2025)
Relevant substantive amendment(s)	May 10, 2016 – Kratom-related substances added to the list of Schedule I controlled substances.
Is kratom or its related substances controlled?	Yes. Mitragynine and 7-hydroxymitragynine are Schedule I controlled substances.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	The limitations placed by Alabama law on Schedule I controlled substances.
Product label requirements	None
Penalties for violations	The penalties placed by Alabama law on Schedule I controlled substances.
Other statewide provisions of note	None
Recently proposed legislation	None

<u>ALASKA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>ARIZONA</u>	
Statute(s) and/or regulation(s)	ARIZ. REV. STAT. ANN. §§ 36-795 to 36-795.03 (West 2025)
Relevant substantive amendment(s)	<ul style="list-style-type: none"> • August 27, 2019 - Law effective • September 24, 2022 – Amendment modifying definitions, contamination of product provisions, and applicability of statute relating to pure food control.
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Processor” is a person that sells, prepares, manufactures, distributes, wholesales, or maintains kratom products or that advertises, represents, or holds itself out as selling, preparing or maintaining kratom products.” • “Retailer” is a person that sells or distributes kratom products or that advertises, represents, or holds itself out as selling or maintaining kratom products. • “Kratom product” is a food product or dietary ingredient containing any part of the leaf of the plant <i>Mitragyna speciosa</i>.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • Processors and retailers may not prepare, distribute, sell, or expose for sale any kratom products: <ul style="list-style-type: none"> ○ Adulterated with a dangerous non-kratom substance; ○ Contaminated with a dangerous non-kratom substance, including any controlled substance; ○ Containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two (2) percent of the alkaloid composition of the product; or ○ Containing any synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine or any other synthetically derived compounds of the kratom plant. • Processors and retailers may not distribute, sell, or expose for sale a kratom product to an individual under age 18.
Product label requirements	<ul style="list-style-type: none"> • Processors and retailers that prepare, distribute, sell, or expose for sale a food that is represented to be a kratom product must disclose on the product label the factual basis on which that representation is made. • Processors and retailers may not prepare, distribute, sell, or expose for sale a kratom product that does not include on its package or label the amount of mitragynine and 7-hydroxymitragynine contained in the product.

<u>ARIZONA</u>	
Penalties for violations	<ul style="list-style-type: none"> • Violations are class 2 misdemeanors. • Individuals aggrieved by a violation may bring a private cause of action in a court of competent jurisdiction for damages resulting from that violation, including economic, noneconomic or consequential damages. • Violations and enforcement are also governed by ARIZ. REV. STAT. ANN. §§ 36-901 to 36-980 (West 2025) (statutes governing pure food control).
Other statewide provisions of note	A processor or retailer does not violate the law if a court finds by a preponderance of the evidence that the dealer relied in good faith on the representation of a manufacturer, processor, packer, or distributor that the food was a kratom product.
Recently proposed legislation	None

<u>ARKANSAS</u>	
Statute(s) and/or regulation(s)	ARK. ADMIN. CODE § 007.07.2 (West 2025)
Relevant substantive amendment(s)	November 8, 2015 – Kratom-related substances added to the list of Schedule I controlled substances
Is kratom or its related substances controlled?	Yes. Mitragynine and 7-hydroxymitragynine are Schedule I controlled substances.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	The limitations placed by Arkansas law on Schedule I controlled substances.
Product label requirements	None
Penalties for violations	The penalties placed by Arkansas law on Schedule I controlled substances.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>CALIFORNIA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>COLORADO</u>	
Statute(s) and/or regulation(s)	<ul style="list-style-type: none"> • COLO. REV. STAT. ANN. § 18-13-132 (West 2025) (furnishing kratom products to underage individuals) • COLO. REV. STAT. ANN. § 44-1-105 (West 2025) (regulation of kratom, prohibited acts, and definition)
Relevant substantive amendment(s)	August 10, 2022 - Laws enacted
Is kratom or its related substances controlled?	No.
Defined term(s)	“Kratom product” means any product or ingredient containing: (1) any part of the leaf of the <i>Mitragyna speciosa</i> plant if the plant contains the alkaloid mitragynine or 7-hydroxymitragynine; or (2) a synthetic material that contains the alkaloid mitragynine or 7-hydroxymitragynine.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • An individual may not give, sell, distribute, dispense, or offer for sale a kratom product to any individual who is under age 21. Before giving, selling, distributing, dispensing, or offering to sell to an individual any kratom product, a person shall request from the individual and examine a government-issued photo ID that establishes that the individual is 21 years of age or older. • An individual shall not: <ul style="list-style-type: none"> ○ Knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product that is adulterated with fentanyl, or any other controlled substance; ○ Knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product to an individual under 21 years of age; or ○ Display or store kratom products in a retail location in a manner that will allow the products to be accessed by individuals under 21 years of age.
Product label requirements	An individual shall not sell a kratom product that does not have a label that clearly sets forth: (1) the identity and address of the manufacturer; and (2) the full list of ingredients in the kratom product.

<u>COLORADO</u>	
Penalties for violations	<ul style="list-style-type: none"> • An individual who violates COLO. REV. STAT. ANN. § 18-13-132 (West 2025) commits a civil infraction subject to a fine of \$200. It is an affirmative defense to a prosecution if the person purchasing the kratom product presented a government-issued phot ID that identified the individual as being 21 years of age or older and the person furnishing the kratom product reasonably relied upon that ID. • The executive director of the department of revenue will determine the penalties for all other prohibited actions.
Other statewide provisions of note	Nothing in COLO. REV. STAT. ANN. § 18-13-132 (West 2025) prohibits a statutory or home rule municipality, county, or city from enacting an ordinance or resolution that prohibits the sale of any kratom products to individuals under 21 years of age or imposes requirements more stringent than provided in that section; however, a statutory or home rule municipality, county, or city and county shall not enact an ordinance or resolution that establishes a minimum age to purchase kratom products that is under 21 years of age.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>CONNECTICUT</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>DELAWARE</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>DISTRICT OF COLUMBIA</u>	
Statute(s) and/or regulation(s)	D.C. Mun. Regs. tit. 22-B § 1201 (2024) ⁷
Relevant substantive amendment(s)	March 25, 2016 – Kratom-related substance added to the list of Schedule I controlled substances via regulation.
Is kratom or its related substances controlled?	Yes. According to current District of Columbia regulations (but not statute), 7-hydroxymitragynine is a Schedule I controlled substance.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	The limitations placed by District of Columbia law on Schedule I controlled substances.
Product label requirements	None
Penalties for violations	The penalties placed by District of Columbia law on Schedule I controlled substances.
Other statewide provisions of note	None
Recently proposed legislation	None

⁷ The legal status of kratom in the District of Columbia (D.C.) appears unclear. District law contains two lists of controlled substances, one in statute and one in regulation. According to the Schedule I in statute (D.C. CODE § 48-902.04 (West 2025)), neither kratom nor its psychoactive compounds, mitragynine and 7-hydroxymitragynine, are scheduled or have ever been scheduled. In contrast, according to the Schedule I in regulation (D.C. Mun. Regs. tit. 22-B § 1201 (2023)), D.C. authorities placed 7-hydroxymitragynine into the schedule in March 2016, where it remains today. Several online sources suggest that D.C. authorities removed 7-hydroxymitragynine from Schedule I in 2019. *See, e.g., Is Kratom Legal in Washington D.C.?*, KRAOMA (April 12, 2019), <https://kraoma.com/kratom-washington-dc-legality/>. These sources may conflate the 2019 amendment to D.C. CODE § 48-902.04 (which as noted above, did not contain 7-hydroxymitragynine prior to the amendment), with removing 7-hydroxymitragynine from the enumerated list of Schedule I substances in D.C. regulations.

<u>FLORIDA</u>	
Statute(s) and/or regulation(s)	FLA. STAT. ANN. § 500.92 (West 2025)
Relevant substantive amendment(s)	July 1, 2023 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	“Kratom product” is defined as a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption which contains any part of the leaf of the plant <i>Mitragyna speciosa</i> or an extract, synthetic alkaloid, or synthetically derived compound of such plant and is manufactured as a powder, capsule, pill, beverage, or other edible form.
Limitations on possession, distribution, sale, or manufacture	It is unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, any kratom product to a person who is under 21 years of age.
Product label requirements	None
Penalties for violations	A person who violates FLA. STAT. ANN. § 500.92 (West 2025) is guilty of a misdemeanor of the second degree.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>GEORGIA</u>	
Statute(s) and/or regulation(s)	GA. CODE ANN. §§ 16-13-120 to 16-13-122 (West 2025)
Relevant substantive amendment(s)	<ul style="list-style-type: none"> • April 26, 2019 - Law effective • January 1, 2025 - Kratom law amended to add new definitions, changed the age requirement from 18 years of age to 21 years of age, added additional requirements on the sale or transfer of kratom, and placed limitations on product concentrations
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Adulterated” has the same definition of GA. CODE ANN. § 26-2-26 (West 2025). • “Kratom” means the tropical evergreen known as <i>Mitragyna speciosa</i>, which is native to Southeast Asia and contains the alkaloid mitragynine or metabolite 7-hydroxymitragynine. • “Kratom extract” means a kratom product that has been modified, processed, or otherwise manufactured with a food-grade solvent. • “Kratom product” means a product containing any part of the leaf of the plant <i>Mitragyna speciosa</i> whether sold as a powder, capsule, pill, beverage, extract, or other form. • “Processor” means a person or entity that prepares, manufacturers, distributes, or maintains kratom products or that advertises, represents, or holds itself out as preparing, manufacturing, distributing, or maintaining kratom products. • “Retailer” means a person or entity that sells or holds itself out as selling kratom products at retail to the general public; provided, however, that such person or entity shall also be included within the definition of “processor” to the extent that he or she engages in the business of a processor. Such term shall not include a store employee at a retailer's place of business.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • No individual shall knowingly sell or transfer possession of any kratom, kratom product, or kratom extract to another individual under 21 years of age, nor shall any individual under 21 years of age purchase or possess any kratom, kratom product, or kratom extract.

<u>GEORGIA</u>	
Limitations on possession, distribution, sale, or manufacture (continued)	<ul style="list-style-type: none"> • No individual shall ingest kratom in a manner that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor in a solution or other form, including, but not limited to, any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of kratom in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. • No individual shall offer for sale kratom in this state unless such product is behind a counter in an area only accessible to store employees or in a secured display which is only accessible with the intervention of a store employee. • All kratom products sold in, or delivered to, this state shall be derived from the natural kratom plant, and any manufactured or processed kratom product, including kratom extracts, shall not be modified, chemically or otherwise, processed, synthesized, or otherwise treated in any way that increases the levels of mitragynine or 7-hydroxymitragynine. • No kratom product sold in, or delivered to, this state shall have a concentration ratio that is: <ul style="list-style-type: none"> ○ Greater than 150 mg of imitragynine per serving; ○ Greater than 0.5 mg 7- hydroxymitragynine per serving; or ○ Greater than 1 mg 7-hydroxymitragynine per serving. • A processor or retailer shall not prepare, distribute, sell, or expose for sale a kratom product that: <ul style="list-style-type: none"> ○ Is adulterated; ○ Contains or uses in its processing or manufacturing a food substance that is not generally recognized as safe in food products; ○ Contains any synthetic alkaloids or metabolite including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compounds of the kratom plant; or ○ Is in a form that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, that can be used to produce vapor in a solution or other form.

<u>GEORGIA</u>	
Product label requirements	<p>Kratom packaging must be accompanied by a label bearing the following information prior to its sale in Georgia:</p> <ul style="list-style-type: none"> • Clearly labeled ingredients; • That the sale or transfer possession of kratom to another person under 21 years of age is prohibited; • The amount of mitragynine and 7-hydroxymitragynine contained in such product; • The amount of mitragynine and 7-hydroxymitragynine contained in the packaging for such product; • The common or usual name of each ingredient used in the manufacture of such product, listed in descending order of predominance; • The name and the principal mailing address of the manufacturer or the person responsible for distributing such product; • Clear and adequate directions for the consumption, include the recommended serving size and the time frame within which safe consumption should occur; • Any precautionary statements as to the safety and effectiveness of such product, including a warning that a consumer should consult their physician on questions about use of kratom, and state that the kratom product is not intended to “diagnose, treat, cure or prevent any disease”; and • A statement that a kratom product label is prohibited from making any therapeutic claims unless approved by the United States Food and Drug Administration.
Penalties for violations	<ul style="list-style-type: none"> • Any person convicted of violating the provisions of § 16-13-121, is guilty of a misdemeanor; provided, however, that, for a conviction of a first offense, such individual shall be punished by a fine not to exceed \$250.00; for a conviction of a second offense, such individual shall be punished by a fine of up to \$500.00; and for a conviction of a third offense and each subsequent offense, such individual shall be punished by a fine of up to \$1,000.00. • A processor or retailer who knowingly or with criminal negligence commits an act in violation of § 16-13-122 shall, upon a first conviction thereof, be guilty of a misdemeanor of a high and aggravated nature, and upon a subsequent conviction, be guilty of a felony, and shall be punished by imprisonment for not less than one year nor more than 15 years, by a fine not to exceed \$100,000.00, or both.

<u>GEORGIA</u>	
Penalties for violations (continued)	<ul style="list-style-type: none"> • A processor who negligently commits an act in violation of § 16-13-122 shall be guilty of a misdemeanor and subject to a fine not to exceed \$1,000.00. • A retailer who negligently commits an act in violation of § 16-13-122 shall be guilty of a misdemeanor; provided, however, that, for a conviction of a first offense, such individual shall be punished by a fine not to exceed \$250.00; for a conviction of a second offense, such individual shall be punished by a fine of up to \$500.00; and for a conviction of a third offense, such individual shall be punished by a fine of up to \$1,000.00; provided, further, that upon each subsequent conviction after a third conviction, such individual shall be guilty of a high and aggravated misdemeanor and shall be imprisoned for not less than ten days nor more than 12 months and punished by a fine of not less than \$1,000.00 nor more than \$5,000.00. • A retailer shall have a defense to prosecution if such retailer proves by a preponderance of the evidence that the retailer relied in good faith upon the representations of a processor that the kratom, kratom product, or kratom extract and labeling complied with the provisions of the law.
Other statewide provisions of note	A processor shall maintain a registered agent in this state for service of process for the entire duration of such entity's engagement in the business of a processor.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>HAWAII</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>IDAHO</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>ILLINOIS</u>	
Statute(s) and/or regulation(s)	720 ILL. COMP. STAT. ANN. 642/5 (West 2025)
Relevant substantive amendment(s)	January 1, 2015 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	“Kratom” means any parts of the plant <i>Mitragyna speciosa</i> , whether growing or not, and any compound, manufacture, salt, derivative, mixture, or preparation of that plant, including but not limited to mitragynine and 7-hydroxymitragynine.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • Individuals under age 18 may not knowingly purchase or possess any product containing any quantity of kratom. • In the furtherance or facilitation of obtaining any product containing kratom, an individual under age 18 may not knowingly display or use a false or forged identification card or transfer, alter, or deface an identification card. • A person may not knowingly sell, buy for, distribute samples of, or furnish any product containing any quantity of kratom to an individual under 18 years of age.
Product label requirements	None
Penalties for violations	<ul style="list-style-type: none"> • Purchasing or possessing kratom by a minor is a Class B misdemeanor. • Selling, buying for, or distributing kratom to a minor is a Class B misdemeanor for which the offender must be fined no less than \$500.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>INDIANA</u>	
Statute(s) and/or regulation(s)	<ul style="list-style-type: none"> • IND. CODE ANN. § 35-48-2-4 (West 2025) (Schedule I controlled substance) • IND. CODE ANN. § 35-31.5-2-321 (West 2025) (definition of synthetic drug)
Relevant substantive amendment(s)	July 1, 2012 - Mitragynine and 7-hydroxymitragynine added to definition of synthetic drugs.
Is kratom or its related substances controlled?	Yes. Mitragynine and 7-hydroxymitragynine are considered “synthetic drugs.” All synthetic drugs listed in IND. CODE ANN. § 35-31.5-2-321 (West 2025) are Schedule I controlled substances.
Defined term(s)	“Synthetic drug” means a substance containing one or more of the chemical compounds, including an analog of the compound, listed in IND. CODE ANN. § 35-31.5-2-321 (West 2025).
Limitations on possession, distribution, sale, or manufacture	The limitations placed by Indiana law on Schedule I controlled substances.
Product label requirements	None
Penalties for violations	The penalties placed by Indiana law on Schedule I controlled substances.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>IOWA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>KANSAS</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>KENTUCKY</u>	
Statute(s) and/or regulation(s)	KY. REV. STAT. ANN. §§ 217.2201 through 217.2209 (West 2025)
Relevant substantive amendment(s)	July 15, 2024 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Kratom” means any part of the plant <i>Mitragyna speciosa</i>. • “Kratom extract” means any food, food product, or dietary ingredient containing any part of the leaf of the plant <i>Mitragyna speciosa</i> that has been extracted and concentrated in order to provide more standardized dosing. • “Kratom processor” means any person or entity that prepares, manufactures, distributes, or maintains kratom extracts or kratom products or advertises, represents, or claims to sell, prepare, or maintain kratom extracts or kratom products. • “Kratom product” means a food, powder, capsule, pill, or any other product intended for oral consumption that contains any part of the leaf of the plant <i>Mitragyna speciosa</i> or any extract thereof. • “Kratom retailer” means any person or entity that sells or advertises, represents, or claims to sell kratom extracts or kratom products.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • A kratom processor or kratom retailer shall not distribute, dispense, sell, or make available for sale any kratom extract or kratom product to an individual who is under 21 years of age • A kratom processor or kratom retailer shall not prepare, manufacture, distribute, dispense, sell, or make available for sale any kratom extract or kratom product that: <ul style="list-style-type: none"> ○ Is adulterated with a dangerous non-kratom substance that affects the quality or strength of the kratom extract or kratom product to such a degree that it may injure a consumer; ○ Contains a poisonous or otherwise harmful non-kratom ingredient, including but not limited to any controlled substance ○ Contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the overall alkaloid composition of the product;

<u>KENTUCKY</u>	
Limitations on possession, distribution, sale, or manufacture (continued)	<ul style="list-style-type: none"> ○ Contains any synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compound of the plant <i>Mitragyna speciosa</i>; ○ Contains levels of residual solvents higher than those permitted under the United States Pharmacopeia Chapter 467; or ○ Does not meet the labeling requirements established pursuant to § 217.2203 or any administrative regulation promulgated thereunder.
Product label requirements	<p>All kratom extracts and kratom products sold or otherwise distributed in the Commonwealth shall be accompanied by a clear label that provides adequate information for safe and effective use by consumers that includes but is not limited to:</p> <ul style="list-style-type: none"> • A list of the ingredients used in the manufacturing of the kratom extract or kratom product; • The amount of mitragynine and 7-hydroxymitragynine contained in the kratom extract or kratom product; • The recommended serving size of the kratom extract or kratom product; • The number of servings per container of the kratom extract or kratom product; • The name and principle street address of the vendor or individual responsible for distributing the kratom extract or kratom product; • Any precautionary statements as to the safety and effectiveness of the kratom extract or kratom product; and • A disclaimer that the kratom extract or kratom product is not intended to diagnose, treat, cure, or prevent any medical condition or disease.
Penalties for violations	A kratom processor or kratom retailer who violates § 217.2202 or 217.2203 or any administrative regulation promulgated thereunder shall be subject to a civil penalty of not more than \$500 for a first offense and not more than \$1,000 for a second or subsequent offense.
Other statewide provisions of note	Enacted House Resolution 88 (Ky. 2025) encourages the Kentucky Department for Public Health, in conjunction with the Kentucky Office of Drug Control Policy, to issue a public statement to increase awareness in the Commonwealth on the potential harm of consuming 7-hydroxymitragynine products.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>LOUISIANA</u>	
Statute(s) and/or regulation(s)	<ul style="list-style-type: none"> • LA. STAT. ANN. § 40:989.3 (West 2025) (unlawful distribution of products containing <i>Mitragyna speciosa</i> to minors) • LA. STAT. ANN. § 14:91.10 (West 2025) (unlawful sale or distribution of “mitragynine speciosa” to persons under age 21) • LA. STAT. ANN. § 1300.61 to 1300.63 (West 2025) (local option for mitragynine speciosa)
Relevant substantive amendment(s)	<ul style="list-style-type: none"> • May 31, 2012 - LA. STAT. ANN. § 40:989.3 (West 2025) enacted • August 1, 2023 - LA. STAT. ANN. § 14:91.10 (West 2025) and LA. STAT. ANN. § 1300.61 to 1300.63 (West 2025) enacted • Prior to August 1, 2023, LA. STAT. ANN. 40:964 (West 2025) (composition of schedules) included a “trigger law” that would schedule mitragynine and 7-hydroxymitragynine as a controlled substance if the U.S. Drug Enforcement Administration issued a regulation controlling the substances on the federal level.
Is kratom or its related substances controlled?	No.
Defined term(s)	LA. STAT. ANN. § 14:91.10 (West 2025) defines “Mitragynine speciosa” as a product containing either or both of the following: (1) mitragynine; or (2) 7-hydroxymitragynine.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • LA. STAT. ANN. § 40:989.3 (West 2025) makes it unlawful for any individual to distribute any product containing <i>Mitragyna speciosa</i> to a minor. • LA. STAT. ANN. § 14:91.10 (West 2025) makes it unlawful for any person to sell or distribute or cause to be sold or distributed a product containing “mitragynine speciosa” to any person under the age of 21.
Product label requirements	None
Penalties for violations	Violations of either LA. STAT. ANN. § 40:989.3 (West 2025) or LA. STAT. ANN. § 14:91.10 (West 2025) results in a fine of \$500 or imprisonment for no more than six months, or both.

<u>LOUISIANA</u>	
Other statewide provisions of note	<ul style="list-style-type: none"> • Notwithstanding any other provision of law to the contrary, a local government may enact an ordinance to prohibit the sale or distribution of “mitragynine speciosa” products or to regulate the sale or distribution of “mitragynine speciosa” products in a manner that is more restrictive than provided for in LA. STAT. ANN. § 14:91.10 West 2025). • Senate resolution 96 (La. 2023) urged and requested the Louisiana Department of Health to study the acute and long-term adverse health events related to kratom and to report its findings to the legislature prior to the convening of the 2024 regular session of the Legislature.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>MAINE</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>MARYLAND</u>	
Statute(s) and/or regulation(s)	MD. CODE ANN., HEALTH-GEN. § 21-2E-01 through 04 (West 2025)
Relevant substantive amendment(s)	October 1, 2024 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Kratom product” means a product marketed for human consumption containing any part of the leaf of the plant <i>Mitragyna speciosa</i>. • “Retailer” means an individual that (1) sells, prepares, or maintains kratom products; or (2) advertises, represents, or holds itself out as selling, preparing, or maintaining kratom products. “Retailer” includes a manufacturer, wholesaler, store, restaurant, hotel, catering facility, camp, bakery, delicatessen, supermarket, grocery store, convenience store, gas station, or food or drink company. • A kratom product is adulterated with a dangerous substance other than kratom if: (1) the kratom product is mixed or packed with a substance other than kratom; and (2) that substance affects the quality or strength of the kratom product to a degree as to render the kratom product injurious to a consumer. • A kratom product is contaminated with a dangerous substance other than kratom if the kratom product contains a poisonous or otherwise deleterious ingredient other than kratom, including a drug that is designated as a controlled dangerous substance
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • A retailer may not prepare, distribute, sell, or expose for sale a kratom product that (1) does not comply with the disclosure requirement in § 21-2E-02; or (2) has not been recognized as a dietary ingredient or approved drug by the U.S. Food and Drug Administration. • A retailer may not distribute, sell, or expose for sale a kratom product to an individual under the age of 21.

<u>MARYLAND</u>	
Limitations on possession, distribution, sale, or manufacture (continued)	<ul style="list-style-type: none"> • A retailer may not prepare, distribute, sell, or expose for sale any of the following kratom products: <ul style="list-style-type: none"> ○ Those that are adulterated with a dangerous substance other than kratom; ○ Those that are contaminated with a dangerous substance other than kratom; ○ Those that contain a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product; ○ Those containing a synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compound of the kratom plant; or ○ Those that do not include on its package or label the amount of mitragynine and 7-hydroxymitragynine contained in the product.
Product label requirements	A retailer that prepares, distributes, sells, or exposes for sale a kratom product shall disclose on the product label the factual basis on which the representation is made.
Penalties for violations	<ul style="list-style-type: none"> • A retailer that violates the labeling disclosure provision of § 21-2E-02 is subject to a civil penalty not exceeding \$1,000 for the first violation and \$2,000 for each subsequent violation. • A retailer that violates § 21-2E-02 (a)(2), (b), or (c) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$5,000, imprisonment for not more than 90 days, or both. • In addition to any other penalties, a retailer who violates § 21-2E-02 is liable for civil damages sustained by the individual resulting from the violation. • In a prosecution for a violation of § 21-2E-02, it is a defense that the defendant relied in good faith on the representations of a manufacturer, processor, packer, or distributor of a kratom product.

<u>MARYLAND</u>	
Other statewide provisions of note	<ul style="list-style-type: none"> • A retailer may not directly or indirectly advertise a therapeutic benefit of kratom. • A retailer may not directly or indirectly advertise or market kratom products to minors. • A retailer may not use any of the following in the advertising, promotion, packaging, or labeling of a kratom product: (1) a cartoon; (2) a superhero; (3) a video game reference; (4) an image of a food product primarily intended for minors; (5) a trademark that imitates or mimics the trademark of a product that has been advertised or marketed primarily to minors; (6) a symbol or celebrity that is primarily associated with minors or media primarily directed to minors; and (7) an image of an individual who appears to be under the age of 27. • A retailer may not advertise or promote a kratom product: <ul style="list-style-type: none"> ○ In a newspaper, a magazine, a periodical, or any other publication for which individuals under the age of 21 constitute 15 percent or more of the total audience, as measured by competent and reliable survey evidence; ○ At a concert, a stadium, a sporting event, or any other public event for which individuals under the age of 21 constitute 15 percent or more of the total audience, as measured by competent and reliable survey evidence; or ○ On an outdoor billboard or sign board that is within 500 feet of a school.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>MASSACHUSETTS</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>MICHIGAN</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>MINNESOTA</u>	
Statute(s) and/or regulation(s)	MINN. STAT. ANN. § 152.027 (West 2025)
Relevant substantive amendment(s)	August 1, 2018 – Added offenses related to the sale and possession of kratom
Is kratom or its related substances controlled?	No.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • It is unlawful for a person to sell any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person under the age of 18; or • It is unlawful for a person under the age of 18 to possess any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine.
Product label requirements	None
Penalties for violations	<ul style="list-style-type: none"> • Selling any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person under the age of 18 is a gross misdemeanor. • Unlawfully possessing any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine is a misdemeanor if the person is under age 18.
Other statewide provisions of note	None
Recently proposed legislation	None

<u>MISSISSIPPI</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>MISSOURI</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>MONTANA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>NEBRASKA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>NEVADA</u>	
Statute(s) and/or regulation(s)	NEV. REV. STAT. ANN. § 597.998 (West 2025)
Relevant substantive amendment(s)	October 1, 2019 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	“Kratom product” means any product or ingredient containing: (1) any part of the leaf of the <i>Mitragyna speciosa</i> plant if the plant contains the alkaloid mitragynine or 7-hydroxymitragynine; or (2) a synthetic material that contains the alkaloid mitragynine or 7-hydroxymitragynine, regardless of whether the product or ingredient is labeled or sold for human consumption.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • A person may not knowingly sell or offer to sell any material, compound, mixture, or preparation containing a kratom product to a child under the age of 18 years. • A person may not knowingly prepare, distribute, advertise, sell, or offer to sell a kratom product that is adulterated with a substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer.
Product label requirements	A person may not sell a kratom product that does not have a label that clearly sets forth the ingredients and directions for the safe and effective use of the kratom product.
Penalties for violations	Civil penalty of no more than \$1,000 for each violation
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>NEW HAMPSHIRE</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>NEW JERSEY</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>NEW MEXICO</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>NEW YORK</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>NORTH CAROLINA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>NORTH DAKOTA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>OHIO</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>OKLAHOMA</u>	
Statute(s) and/or regulation(s)	OKLA. STAT. ANN. tit. 63 §§ 1-1432.1 to 1-1432.5 (West 2025)
Relevant substantive amendment(s)	<ul style="list-style-type: none"> • November 1, 2021 - Law effective • November 1, 2024 - New definitions added to § 1-1432.2 and amended some of the labeling requirements and prohibited products addressed in § 1-1432.4
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Food” means a food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage for human consumption. • “Kratom leaf” means the leaf of the kratom plant, <i>Mitragyna speciosa</i>, in fresh or dehydrated or dried form that undergoes no post-harvest processing other than drying or size reduction by cutting, milling, or similar procedure, and may be cleaned or sterilized using standard treatments applied to food ingredients, such as heat, steam, pressurization, or irradiation or other standard treatments applied to food ingredients. The total alkaloid content of kratom leaf material used in the kratom product shall not exceed 3.5 percent measured on a dried weight-to-weight basis. • “Kratom leaf extract” means the material obtained by extracting kratom using a solvent consisting of: (1) water, ethanol, or food-grade carbon dioxide, or (2) any other solvent allowed by federal or state regulation for use in manufacturing a food ingredient. The extracted material shall contain mitragynine as the most abundant alkaloid, measured on a weight-to-weight basis, and at a level that is equal to or exceeds twice that of any other alkaloid present. The ratio of mitragynine to other alkaloids in the extract shall be equal to or greater than the ratio found in the starting material. • “Kratom product” means a food or dietary supplement that consists of or contains kratom leaf or kratom leaf extract that does not contain any synthesized kratom alkaloids, other kratom constituents, or synthesized metabolites of any kratom constituent in which the level of 7-hydroxymitragynine, on a percent weight basis, is not greater than one percent of the amount of total kratom alkaloids, as confirmed with a high-performance liquid chromatography testing method.

<u>OKLAHOMA</u>	
Defined term(s) (continued)	<ul style="list-style-type: none"> • “Total kratom alkaloids” means the sum of mitragynine, speciociliatine, speciogynine, paynantheine, and 7-hydroxymitragynine. • “Vendor” means a person that sells, prepares, or maintains kratom products or that advertises, represents, or holds itself out as selling, preparing or maintaining kratom products and includes a manufacturer, wholesaler, store, restaurant, hotel, catering facility, camp, bakery, delicatessen, supermarket, grocery store, convenience store, nursing home, or food or drink company.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • A vendor shall not prepare, distribute, sell, or expose for sale kratom products: <ul style="list-style-type: none"> ○ Those that do not meet the definition for a kratom product pursuant to § 1-1432.2; ○ Contaminated with a dangerous non-kratom substance; ○ Containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than one percent of the alkaloid composition of the product; ○ Containing any synthesized alkaloid including synthesized mitragynine, synthetic 7-hydroxymitragynine or any other synthesized compounds of the kratom plant; ○ Containing any controlled substance listed in the Uniform Controlled Dangerous Substances Act, unless the product is compounded by a licensed pharmacist with the controlled substance dispensed in accordance with a valid prescription; or ○ Containing a level of any residual solvent that was used in the manufacturing of the extract that exceeds the residual level specified for pharmaceutical products in the document “Q3C--Tables and List, Guidance for Industry, June 2017 ICH Revision 3” issued by the United States Department of Health and Human Services, Food and Drug Administration. • A vendor may not distribute, sell or expose for sale a kratom product to an individual under 18 years of age.

<u>OKLAHOMA</u>	
Product label requirements	<ul style="list-style-type: none"> • Vendors that prepare, distribute, sell, or expose for sale a food or product that contains kratom as an ingredient or that is represented to be a kratom product shall disclose on the product label, website, or a quick response (QR) code on the product label linked to a website, the factual basis on which that representation is made. • Vendors may not prepare, distribute, sell, or expose for sale a food or ingredient that contains kratom as an ingredient or that is represented to be a kratom product that does not conform to the disclosure required. • Kratom products must be accompanied by a label bearing the following information: <ul style="list-style-type: none"> ○ A list of the ingredients, which shall include the common or usual name of each ingredient used in the manufacture of the product, listed in descending order of predominance; ○ That the sale or transfer of kratom to a person under 18 years of age is prohibited; ○ The amount of total kratom alkaloids, mitragynine, and 7-hydroxymitragynine contained in the product; ○ The amount of total kratom alkaloids, mitragynine, and 7-hydroxymitragynine contained in packaging for the product; ○ The name and the principal street address of the vendor or the person responsible for distributing the product; ○ Any federal food allergen labeling requirements, if applicable, and clear and adequate directions for the consumption and safe and effective use of such product, including the recommended serving size, the number of servings in the container, and the number of servings that can be safely consumed in a day. Provided, liquid kratom products shall be packaged in a retail container that has clear serving size markings and be subject to the following requirements: (1) products of less than eight fluid ounces which contain more than three servings shall be accompanied by a calibrated measuring devices, and (2) if such product contains more than the eight fluid ounces, the requirement for a calibrated measuring device does not apply. Provided further, packaging for powdered kratom products not in capsule form shall have a calibrated measuring device included in the container;

<u>OKLAHOMA</u>	
Product label requirements (continued)	<ul style="list-style-type: none"> ○ Any precautionary statements as to the safety and effectiveness of the product, including a warning that a consumer should consult a healthcare professional on questions about the use of kratom, that the product may be habit-forming, and a statement that the kratom product is not intended to “diagnose, treat, cure, or prevent any disease;” and ○ A statement that a kratom product label is prohibited from making any therapeutic claims unless approved by the U.S. Food and Drug Administration.
Penalties for violations	<ul style="list-style-type: none"> ● The owner or manager of a vendor who violates any of the provisions of OKLA. STAT. ANN. tit. 63 § 1-1432.3 (product disclosure by vendor) or OKLA. STAT. ANN. tit. 63 § 1-1432.4 (prohibited products; labeling requirements; distribution to minors) faces an administrative penalty of up to \$500 for a first offense and \$1,000 for a second offense. Upon a third offense, the vendor cannot sell kratom products for a period of three years. If the state department of health (department) receives a complaint of kratom product sales during the period of suspension, the department shall forward the information to the applicable district attorney's office. If the owner or manager of a vendor commits such violation during the three-year period, the person faces a misdemeanor punishable by imprisonment in a county jail for a term of not more than one year, or by a fine of not more than \$2,000, or both. ● A person aggrieved by a violation of § 1-1432.3 or § 1-1432.4 may bring a cause of action for damages resulting from that violation including, but not limited to, economic, non-economic, or consequential damages. ● A vendor does not violate § 1-1432.3 or § 1-1432.4 if the court finds by a preponderance of the evidence that the vendor relied in good faith on the representation of a manufacturer, processor, packager, or distributor that the food product or dietary ingredient was a kratom product.
Other statewide provisions of note	Upon request by the department, the vendor shall provide test results from a United States-based testing facility to confirm the items listed on the product label.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>OREGON</u>	
Statute(s) and/or regulation(s)	Or. Rev. Stat. Ann. §§ 475.394 through 475.404(West 2025) (eff. June 3, 2022)
Relevant substantive amendment(s)	July 1, 2023 - Law effective
Is kratom or its related substances controlled?	No.
Definitions	<ul style="list-style-type: none"> • “Kratom product” means a food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage for human consumption containing any part of the leaf of the plant <i>Mitragyna speciosa</i>. • “Processor” means a person that sells, distributes, or exposes for sale kratom products on a wholesale basis to a retailer. • “Retailer” means a person that sells, distributes, or exposes for sale kratom products to individuals for personal consumption.
Limitations placed on manufacture, distribution, sale, or possession	<ul style="list-style-type: none"> • A processor may not sell, distribute, or expose for sale a kratom product prior to registering with the Oregon Department of Revenue (Department). • A retailer may not sell, distribute, or expose for sale a kratom product to an individual under 21 years of age.
Product label requirements	None
Penalties for violations	<ul style="list-style-type: none"> • A processor who violates the registration requirement is subject to a civil penalty of not more than \$500 for the first offense and not more than \$1,000 for a second or subsequent offense. • A retailer who sells, distributes, or exposes for sale a kratom product to an individual under 21 years of age is guilty of a Class C misdemeanor for each violation.
Other statewide provisions of note	The Department must adopt rules necessary to carry out the Oregon Kratom Consumer Protection Act (Act), including rules establishing: (1) procedures for a processor to register annually with the Department, including a requirement that a processor certify that all of the kratom products the processor will sell, distribute, or expose for sale are third-party tested to satisfy industry standards for adulteration; (2) a reasonable registration fee to be paid to the Department to support the administration and enforcement of the Act; and (3) any other requirements the Department deems appropriate.
Recently proposed legislation	None

<u>PENNSYLVANIA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>RHODE ISLAND</u>	
Statute(s) and/or regulation(s)	Rhode Island Department of Health notice (eff. April 10, 2017) ⁸
Relevant substantive amendment(s)	None
Is kratom or its related substances controlled?	Yes. Kratom-related substances added to the list of Schedule I controlled substances.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	The limitations placed by Rhode Island law on Schedule I controlled substances.
Product label requirements	None
Penalties for violations	The penalties placed by Rhode Island law on Schedule I controlled substances.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

⁸ Rhode Island Dept. of Health, Notice of Designation of Controlled Substance (May 31, 2017), https://docs.wixstatic.com/ugd/9ba5da_9836ace2b9f04a30b55fe480fe3c6ff4.pdf.

<u>SOUTH CAROLINA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	Yes. See Pending State Legislation .

<u>SOUTH DAKOTA</u>	
Statute(s) and/or regulation(s)	<ul style="list-style-type: none"> • S.D. CODIFIED LAWS § 35-20B-1 (West 2025) (definitions) • S.D. CODIFIED LAWS § 34-20B-115 (West 2025) (kratom product requirements)
Relevant substantive amendment(s)	<p>July 1, 2021 - Law effective</p> <p>July 1, 2025 - Amendment adds additional kratom product requirements; definitions updated</p>
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Kratom” means any part of the leaf of the plant <i>Mitragyna speciosa</i>. • “Kratom product” means a food or dietary ingredient containing kratom.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • The following actions are unlawful: <ul style="list-style-type: none"> ○ Knowingly selling or distributing a kratom product to an individual under the age of 21. ○ Purchasing, attempting to purchase, the receipt or attempt to receive, the possession, or the consumption of a kratom product by an individual under the age of 21. ○ Purchasing a kratom product on behalf of, or to give a kratom product to, any individual under the age of 21, unless the purchaser is a parent or guardian of the individual under the age of 21. • Starting July 1, 2025, no individual may prepare, sell, or distribute a kratom product that: <ul style="list-style-type: none"> ○ Contain a level of 7–hydroxymitragynine in the alkaloid fraction that is greater than two percent of the alkaloid composition of the product; ○ Contains synthetic mitragynine, synthetic 7–hydroxymitragynine, or any other synthetic alkaloid or synthetically derived compound from the <i>Mitragyna speciosa</i> plant; ○ Contains a poisonous or otherwise deleterious non-kratom substance, including any substance designated as a controlled substance; or ○ Is mixed or packed with a non-kratom substance that affects the quality or strength of the kratom product, rendering the product injurious to a customer.

<u>SOUTH DAKOTA</u>	
Product label requirements	<p>Starting July 1, 2025, no individual may prepare, sell, or distribute a kratom product that:</p> <ul style="list-style-type: none"> • Does not include on its package or label the recommended serving size of the kratom product, a recommended number of servings that can be safely consumed in a twenty-four-hour period, and a list of servings per container; • Does not include on its package or label the amount of mitragynine and 7-hydroxymitragynine contained in the kratom product; or • Does not include on its package or label the following warning statement: “Consult a licensed, qualified healthcare professional before consuming this product. Not for use by women who are pregnant, nursing, or trying to become pregnant.”
Penalties for violations	Each of the violations is a Class 2 misdemeanor.
Other statewide provisions of note	None
Recently proposed legislation	None

<u>TENNESSEE</u>	
Statute(s) and/or regulation(s)	TENN. CODE ANN. § 39-17-452 (West 2025)
Relevant substantive amendment(s)	<ul style="list-style-type: none"> • July 1, 2013 – Criminalized synthetic mitragynine and 7-hydroxymitragynine. • July 1, 2018 – Began regulating natural kratom products.
Is kratom or its related substances controlled?	No.
Defined term(s)	“Natural form” means dried, cut, and sifted kratom leaf or raw kratom leaf power.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • It is unlawful to knowingly produce, manufacture, distribute, sell, offer for sale, or possess any capsule, pill, or other product composed of or containing any amount of synthetic mitragynine and/or 7-hydroxymitragynine. • It is unlawful for a person to knowingly: <ul style="list-style-type: none"> ○ Sell, or offer for sale, kratom unless labeled and in its natural form; ○ Distribute, sell, or offer for sale, kratom to a person under the age of 21 years; or ○ Purchase or possess kratom if under the age of 21 years.
Product label requirements	Kratom products must be labeled with a label containing the manufacturer's information and a warning that includes, at a minimum, “Warning: Do not use if you are pregnant or nursing. It is illegal to possess Kratom if under 21 years of age. Consult your healthcare professional before using. Do not combine with alcohol or medication. Consult a doctor prior to usage if you have any heart disease, liver disorder, high blood pressure, or medical condition or take medication.”
Penalties for violations	All violations are Class A misdemeanors
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>TEXAS</u>	
Statute(s) and/or regulation(s)	TEX. HEALTH & SAFETY CODE ANN. §§ 444.001 to 444.007 (West 2025)
Relevant substantive amendment(s)	September 1, 2023 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Kratom” is defined as any part of the leaf of the plant <i>Mitragyna speciosa</i>. • “Kratom processor” is defined as a person who: (1) manufactures, prepares, distributes, or maintains kratom products for sale; (2) advertises, represents, or holds oneself out as a manufacturer, preparer, or seller of kratom products; (3) is responsible for ensuring the purity and proper labeling of kratom products; or (4) packages or labels kratom products. • “Kratom product” is defined as a food, including an extract, capsule, or pill, containing any form of kratom. • “Kratom retailer” is defined as a kratom processor who sells kratom products to consumers or who advertises, represents, or holds oneself out as a person who sells kratom products to consumers.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • A kratom processor or kratom retailer may not prepare, distribute, sell, or offer to sell a kratom product that: <ul style="list-style-type: none"> ○ Is adulterated with a dangerous non-kratom substance affecting the quality or strength of the product to a degree that renders the product injurious to a consumer. ○ Is contaminated with a poisonous or otherwise deleterious non-kratom substance, including any substance designated as a controlled substance by Chapter 481 (Texas Controlled Substances Act); ○ Contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the overall alkaloid composition of the product; or ○ contains any synthetic alkaloids, including synthetic 7-hydroxymitragynine and synthetically derived compounds from a kratom plant. • A person commits an offense if the person distributes, sells, or exposes for sale a kratom product to an individual younger than 18 years of age.

<u>TEXAS</u>	
Product label requirements	A kratom processor is required to label each kratom product with the product use directions necessary to ensure safe use of the product by a consumer, including the recommended serving size for the product. A kratom retailer may only sell a kratom product that is properly labeled.
Penalties for violations	<ul style="list-style-type: none"> • Distributing, selling, or exposing for sale a kratom product to an individual under the age of 18 is a Class C misdemeanor. • A person who violates the Texas Kratom Consumer Health and Safety Protection Act is subject to a civil penalty in the amount of: (1) \$250 for the first violation; (2) \$500 for the second violation; and (3) \$1,000 for each subsequent violation. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty under this section. A kratom retailer is not liable for a civil penalty for a violation of Section 444.002 (label requirement) or 444.003 (adulterated, contaminated, and prohibited kratom products) if the kratom retailer proves by a preponderance of the evidence that the violation was unintentional and due to the kratom retailer's good faith reliance on the representation of another kratom processor.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>UTAH</u>	
Statute(s) and/or regulation(s)	UTAH CODE ANN. §§ 4-45-101 to 4-45-108 (West 2025)
Relevant substantive amendment(s)	May 14, 2019 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Food” means: (1) an article used for food or drink for human or animal consumption or the components of the article; (2) chewing gum or chewing gum components; or (3) a food supplement for special dietary use that is necessitated because of a physical, physiological, pathological, or other condition. • “Kratom processor” means a person who: (1) sells, prepares, or maintains a kratom product; or (2) advertises, represents, or holds oneself out as selling, preparing, or maintaining a kratom product. • “Kratom product” means food containing any part of a leaf of the plant <i>Mitragyna speciosa</i>.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • A kratom processor may not prepare, distribute, sell, or offer for sale a kratom product: <ul style="list-style-type: none"> ○ That is mixed or packed with a non-kratom substance that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer; ○ That contains a poisonous or otherwise deleterious non-kratom ingredient, including a controlled substance; ○ Containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2 percent of the alkaloid composition of the kratom product; ○ Containing a synthetic alkaloid, including synthetic mitragynine, synthetic 7-hydroxymitragynine, or any other synthetically derived compound of the kratom plant; or ○ That does not include a product label on the kratom product packaging that states the amount of mitragynine and 7-hydroxymitragynine contained in the packaged kratom product.

<u>UTAH</u>	
Limitations on possession, distribution, sale, or manufacture (continued)	<ul style="list-style-type: none"> • A kratom processor may not prepare, distribute, sell, or offer for sale a kratom product that is not registered with the state department of agriculture (department). The department must set a fee to register a kratom product that may be paid by a producer, manufacturer, or distributor of a kratom product, but a kratom product may not be registered with the department until the fee is paid. The department may seize and destroy any unregistered kratom product offered for sale in Utah. • A kratom processor may not distribute, sell, or offer for sale a kratom product to an individual under 18 years of age.
Product label requirements	A kratom processor must disclose on the product label of each kratom product that the kratom processor prepares, distributes, sells, or offers for sale the factual basis upon which the kratom processor represents the food as a kratom product.
Penalties for violations	<ul style="list-style-type: none"> • Violating UTAH CODE ANN. § 4-45-103 (West 2025) regarding the factual basis for which kratom is food, subjects a processor to an administrative fine of up to \$500 for the first offense, and up to \$1,000 for the second or subsequent offense. • Violating UTAH CODE ANN § 4-45-104 (West 2025) regarding kratom processor requirements subjects a processor to a Class C misdemeanor for each violation. A kratom processor does not violate § 4-45-104 if the kratom processor shows by a preponderance of the evidence that the kratom processor relied in good faith upon the representation of a manufacturer, processor, packer, or distributor of food represented to be a kratom product. • Violating UTAH CODE ANN § 4-45-105 (West 2025) regarding the prohibition on sale to minors subjects a kratom process to a Class C misdemeanor for each violation.
Other statewide provisions of note	<ul style="list-style-type: none"> • A kratom processor must register as a food establishment in accordance with UTAH CODE ANN. § 4-5-301 (West 2025). • An individual may bring a civil action for damages resulting from a violation of Utah’s Kratom Consumer Protection Act, including economic, non-economic, or consequential damages.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>VERMONT</u>	
Statute(s) and/or regulation(s)	12-5 VT. CODE R. § 23:7.0 (West 2025)
Relevant substantive amendment(s)	January 1, 2016 - Mitragynine and 7-hydroxymitragynine added to regulated drug rule
Is kratom or its related substances controlled?	Yes. Vermont regulations list mitragynine and 7-hydroxymitragynine in the state's Regulated Drug Rule. This rule designates drugs and other chemical substances that are illegal or judged to be potentially fatal or harmful for human consumption unless prescribed and dispensed by a professional licensed to prescribe or dispense them and used in accordance with the prescription.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	The limitations placed by Vermont law on regulated drugs.
Product label requirements	None
Penalties for violations	The penalties placed by Vermont law on regulated drugs.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>VIRGINIA</u>	
Statute(s) and/or regulation(s)	VA. CODE ANN. § 59.1-200(77) (West 2025)
Relevant substantive amendment(s)	July 1, 2023 - Law effective
Is kratom or its related substances controlled?	No.
Defined term(s)	“Kratom” means any part of the leaf of the plant <i>Mitragyna speciosa</i> or any extract thereof.
Limitations on possession, distribution, sale, or manufacture	It is unlawful to sell or offer for sale any kratom product to a person younger than 21 years of age.
Product label requirements	Kratom products must include a label listing all ingredients and contain the following guidance: “This product may be harmful to your health, has not been evaluated by the FDA, and is not intended to diagnose, treat, cure, or prevent any disease.”
Penalties for violations	Selling or offering for sale any kratom product to a person younger than 21 years of age or selling kratom products that are improperly labeled is a violation of the Virginia Consumer Protection Act. An initial violation results in a civil penalty of no more than \$2,500 per violation. A second or subsequent violation results in a civil penalty of not more than \$5,000 per violation.
Other statewide provisions of note	None
Recently proposed legislation	None

<u>WASHINGTON</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>WEST VIRGINIA</u>	
Statute(s) and/or regulation(s)	W. VA. CODE ANN. §§ 19-12F-1 through 11 (West 2025)
Relevant substantive amendment(s)	<ul style="list-style-type: none"> • June 9, 2023 - Law effective • March 9, 2024 - Definitions modified; adds a business registration requirement; updates taxation requirements; adds administrative sanctions
Is kratom or its related substances controlled?	No.
Defined term(s)	<ul style="list-style-type: none"> • “Contaminated” means made impure and unsafe by biological, chemical, or physical additives. • “Kratom” is defined as a psychoactive preparation that is composed of the crushed or powdered dried leaves of the <i>Mitragyna speciosa</i>, a flowered tropical tree which contains the alkaloids mitragynine and 7-hydroxymitragynine. • “Kratom Product” is defined as a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended or marketed for human consumption containing any part of the leaf of the plant <i>Mitragyna speciosa</i>. • “Grower” is defined as a person or entity which grows kratom for commercial purposes. • “Processor” or “manufacturer” is defined as a person or entity that processes, compounds, or converts plant material from <i>Mitragyna speciosa</i> into a kratom product. This also includes further processing, compounding, converting, or repackaging of existing kratom products. • “Retailer” or “seller” is defined as a person or entity that distributes, offers for sale, or sells kratom or kratom products to persons for personal consumption.
Limitations on possession, distribution, sale, or manufacture	<ul style="list-style-type: none"> • Any person manufacturing, processing, distributing, offering for sale, or selling any kratom or kratom products in the state must have a permit issued by the Commissioner of Agriculture (Commissioner) and be otherwise authorized to do business in this state. The Commissioner may issue manufacturer, processor, distributor, and retailer permits. • Individuals engaged in the manufacturing, processing, distribution, or sale of kratom or kratom products in the state must obtain a West Virginia Business registration certificate. Individuals located outside of the state that are engaged in the distribution or sale of kratom or kratom products across state lines into the state must also obtain a West Virginia Business registration certificate.

<u>WEST VIRGINIA</u>	
Limitations on possession, distribution, sale, or manufacture (continued)	<ul style="list-style-type: none"> • Any website owned, managed, or operated by a person who manufactures, processes, distributes, offers for sale, or sells a product containing kratom or kratom products to persons in this state must employ a neutral age-screening mechanism that verifies that the user is at least 21 years old, including by using an age-gate, age-screen, or other age-verification mechanism approved by the Commissioner. • Any person or entity distributing, offering to distribute or sell, or selling kratom or kratom products to persons in this state by means other than a direct in-person transaction must employ an age-verification mechanism approved by the Commissioner. • The Commissioner shall propose legislative rules that include, but are not limited to: <ul style="list-style-type: none"> ○ Issuance of permits to persons who wish to manufacture, process, distribute, offer for sale, or sell kratom; ○ Sampling and testing of kratom to determine purity levels; ○ Supervision of the kratom during its manufacture, processing, and sale; ○ Assessment of fees that are commensurate with the costs of the Commissioner’s activities in permitting, testing, and supervising the regulation of kratom and the sale of kratom products; ○ The production, processing, sale, possession, distribution, or transport of kratom products; ○ Developing guidelines or standards related to the display or staging of kratom products to increase the safety of underage patrons in retail environments; ○ Developing prohibitive standards as to child targeted packaging and shapes and forms of products.
Product label requirements	<p>The Commissioner shall propose legislative rules for promulgation that include, but are not limited to, developing standards for the labeling of kratom products to include, at a minimum, a statement which says “KEEP OUT OF REACH OF CHILDREN. CONSULT YOUR PHYSICIAN BEFORE USE IF YOU ARE PREGNANT OR TAKING ANY MEDICATION.”</p>

<u>WEST VIRGINIA</u>	
Penalties for violations	<ul style="list-style-type: none"> • Any kratom product found in violation of W. VA. CODE ANN. § 19-12F-1 through 11 (West 2025) is declared contraband and any property interest in the kratom or kratom is vested in the State of West Virginia and is subject to seizure and forfeiture and destruction. • Any person who manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product in this state without a permit is guilty of a crime. <ul style="list-style-type: none"> ○ A first violation of this subsection is a misdemeanor, and, upon conviction thereof, a person shall be fined not more than \$1,000, confined in jail for not more than one year, or both fined and confined. ○ A second or subsequent violation of this subsection is a felony and, upon conviction thereof, a person shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned. • Any person who manufactures, processes, distributes, sells or offers to sell any kratom or kratom product knowing or having reason to know that the product has been contaminated with a toxic or illegal substance is guilty of a felony, and, upon conviction thereof, shall be fined not more than \$10,000 or imprisoned in a state correctional facility for not less than two nor more than 10 years, or both fined and imprisoned. • Any person who knowingly manufactures, processes, distributes, sells, or offers for sale any kratom or kratom product which has not been approved by the Commissioner is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$1,000 nor more than \$ 5,000 or confined in jail for not more than one year, or both fined and confined. A second or subsequent violation constitutes a felony and any person convicted thereof, shall be fined not more than \$5,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned. • Any person who knowingly manufactures, distributes, offers for sale, or sells contaminated kratom or kratom product is guilty of a felony and, upon conviction thereof, shall be fined not less than \$10,000 nor more than \$25,000 or imprisoned for not less than one nor more than five years, or both fined and imprisoned.

<u>WEST VIRGINIA</u>	
Penalties for violations (continued)	<ul style="list-style-type: none"> • Any person who knowingly distributes or sells a kratom or kratom product to a person under the age of 21 is guilty of a felony and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned in a state correctional facility for not less than one nor more than five years, or both fined and imprisoned. • Any person under the age of 21 who possesses kratom or a kratom product is guilty of a misdemeanor and upon conviction thereof, shall be fined not more than \$1,000 or confined in jail for not more than one year, or both fined and confined. Second and subsequent violations constitute a felony and any person convicted thereof, shall be fined not more than \$5,000 and imprisoned in a state correctional facility for not less than one nor more than three years, or both fined and imprisoned. • In the case of any individual or entity holding a permit issued by the Commissioner charged with any criminal violation, in addition to such criminal penalties imposed, the Commissioner may impose administrative sanctions.
Other statewide provisions of note	<ul style="list-style-type: none"> • The Tax Commissioner must keep a list of all individuals and entities that have been issued permits pursuant to § 19-12F-4. Such list must be public information and be published on the Tax Commissioner's website • The Tax Commissioner must keep a list of any individual or entities that have been subject to a permit revocation, withdrawal, suspension, non-renewal, or other process whereby the individual or entity has ceased to be a permit holder in good standing with the Tax Commissioner. • The Tax Commissioner must keep a list of all kratom and kratom products that have been approved for sale or distribution in the state. The list must be public information and be published on the Tax Commissioner's website.

<u>WEST VIRGINIA</u>	
Other statewide provisions of note (continued)	<ul style="list-style-type: none">For the privilege of engaging or continuing within this state in the business of the retail sale of kratom or kratom products, there is hereby levied upon and collected from every person exercising the privilege a privilege tax equal to 11 percent of the retail sales price of kratom or kratom products sold during the reporting period. The tax imposed should not be added by the retailer as a separate charge or line item on any sales slip, invoice, receipt, other statement, or memorandum of the price paid by a customer. Funds from the tax imposed and deposited into the Agricultural Fees Fund are to be divided and deposited as follows: (1) 65 percent is to remain in the Agriculture Fees Fund; (2) five percent is to be transferred to the Fight Substance Abuse Fund; and (3) 30 percent is to be deposited in the Alcohol Beverage Control Enforcement Fund.
Recently proposed legislation	Yes. See Pending State Legislation .

<u>WISCONSIN</u>	
Statute(s) and/or regulation(s)	Wis. STAT. ANN. § 961.14 (West 2025)
Relevant substantive amendment(s)	April 25, 2014 – Kratom-related substances added to the list of Schedule I controlled substances.
Is kratom or its related substances controlled?	Yes.
Defined term(s)	None
Limitations on possession, distribution, sale, or manufacture	The limitations placed by Wisconsin law on Schedule I controlled substances.
Product label requirements	None
Penalties for violations	The penalties placed by Wisconsin law on Schedule I controlled substances.
Other statewide provisions of note	None
Recently proposed legislation	Yes. See Pending State Legislation .

<u>WYOMING</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>AMERICAN SAMOA</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>GUAM</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>NORTHERN MARIANA ISLANDS</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>PUERTO RICO</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>U.S. VIRGIN ISLANDS</u>	
Statute(s) and/or regulation(s)	None
Relevant substantive amendment(s)	N/A
Is kratom or its related substances controlled?	N/A
Defined term(s)	N/A
Limitations on possession, distribution, sale, or manufacture	N/A
Product label requirements	N/A
Penalties for violations	N/A
Other statewide provisions of note	N/A
Recently proposed legislation	None

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Arkansas</u> S.B. 534, 95th Gen. Assemb., 2025 Reg. Sess. (Ark. 2025)	This bill would establish the Arkansas Kratom Consumer Protection Act and remove mitragynine and 7-hydroxymitragynine from the list of Schedule I controlled substances. The bill would prohibit the sale of adulterated or contaminated kratom and would prohibit the sale of kratom products to individuals under the age of 18. It would also establish a kratom processor registration process.
<u>California</u> A.B. 1088, 2025-2026 Leg., Reg. Sess. (Cal. 2025)	This bill would prohibit the sale, offer for sale, provision, or distribution of kratom leaf, a kratom product, or any product containing 7-hydroxymitragynine to a person under 21 years of age.
<u>Colorado</u> S.B. 72, 75th Gen. Assemb., 2025 Reg. Sess. (Colo. 2025)	This bill would repeal § 44-1-105 and replace it with the Colorado Kratom Consumer Protection Act. The bill would set forth specific label requirements for kratom products, limit the amount of mitragynine and 7-hydroxymitragynine allowed to be contained in the product, and prohibit the sale of kratom products to persons under the age of 21. Bill also requires each kratom processor to register with the state and establishes adverse event reporting requirements.
<u>Connecticut</u> S.B. 263, 2025 Gen. Assemb. Jan. Sess. (Conn. 2025)	This bill would require the Department of Public Health to conduct a study of the potential health benefits and risks associated with the use of kratom and any recommendations for legislation concerning its use.
<u>Connecticut</u> H.B. 5427/S.B. 706, 2025 Gen. Assemb., Jan. Sess. (Conn. 2025)	This bill would prohibit the sale of kratom products to individuals under 21 years of age.
<u>Connecticut</u> H.B. 6855, 2025 Gen. Assemb., Jan. Sess. (Conn. 2025)	This bill would require the Commissioner of Consumer Protection to schedule kratom and 7-hydroxymitragynine.
<u>Florida</u> H.B. 1489/S.B. 1734, 2025 Gen. Assemb., Reg. Sess. (Fla. 2025)	This bill would create the Florida Kratom Consumer Protection Act. The bill would prohibit processors from manufacturing, delivering, holding or offering for sale, distributing, or selling finished kratom products that do not meet specified requirements. The bill establishes permitting, registration, and certification requirements for certain kratom products.
<u>Georgia</u> H.B. 757, 157th Gen. Assemb., 2025-2026 Reg. Sess. (Ga. 2025)	This bill would establish an annual registration requirement for kratom processors.

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Hawaii</u> S.B. 463/H.B. 717, 33rd Leg., 2025-2026 Reg. Sess. (Haw. 2025)	These bills would establish the Hawaii Kratom Consumer Protection Act. Among other things, the Act requires kratom products to be registered with the Department of Health and imposes labeling requirements. The bill also prohibits the sale of kratom products to individuals under the age of 18.
<u>Illinois</u> S.B. 1183/H.B. 1303, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would create the Kratom Consumer Protection Act. Provides that no person shall sell, offer for sale, provide, or distribute kratom leaf or a kratom product to a person under 21 years of age, with requirements for online age verification. Provides that no individual shall sell, offer for sale, provide, or distribute a kratom product that contains certain chemical compositions. Provides that an individual, business, or other entity shall not produce, sell, or distribute a kratom product that is attractive to children. Provides that no individual shall sell, offer for sale, provide, or distribute a kratom product that is adulterated with a dangerous non-kratom substance. Provides that no individual shall offer for sale any kratom product that contains synthesized or semi-synthesized kratom alkaloids or kratom constituents. Requires federal compliance for kratom products and processors. Imposes a tax of five percent on the retail sale of kratom products.
<u>Illinois</u> H.B. 3215, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would create the Kratom Consumer Protection Act. Provides for procedures for kratom product registration, with certain requirements. Provides for labeling requirements for kratom products. Provides for enforcement and criminal and other penalties. Prohibits the sale of kratom products to individuals under the age of 21.
<u>Illinois</u> S.B. 1570, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would amend 720 ILL. COMP. STAT. ANN. 642/5 (West 2025) to provide that the possession or purchase of kratom products is prohibited for all individuals, not just individuals under the age of 18.

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Illinois</u> H.B. 3127, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would create the Kratom Consumer Protection Act. Establishes safety requirements for the preparation, distribution, sale, and offer for sale of Kratom products and extracts. Prohibits the preparation, distribution, sale, and offer for sale of adulterated Kratom products and extracts. Provides that a processor shall not knowingly distribute, sell, or offer for sale a Kratom product to a person under 21 years of age. Provides that no person or entity shall advertise or sell a product containing any quantity of kratom, in any form or medium, within 1,000 feet of the perimeter of school grounds, a playground, a recreation center or facility, a childcare center, a public park or public library, or a game arcade that admits individuals under 21 years of age.
<u>Illinois</u> H.B. 3129, 104th Gen. Assemb., Reg. Sess. (Ill. 2025)	This bill would repeal 720 ILL. COMP. STAT. ANN. 642/5 (West 2025) and add mitragynine and 7-hydroxymitragynine to the list of Schedule III controlled substances.
<u>Indiana</u> H.B. 1542, 2024 Leg., Reg. Sess. (Ind. 2024)	This bill would regulate the sale of kratom consumable products by requiring individuals to register with the state department of agriculture in order to manufacture, distributor, or sell a kratom product in the state. The bill prohibits the sale of kratom to individuals under the age of 21. Creates the kratom regulation fund for the purpose of funding enforcement of regulations regarding kratom consumable products.
<u>Iowa</u> S.F. 367, 91st Gen. Assemb., 2025-2026 Reg. Sess. (Iowa 2025)	This bill would designate kratom as a hallucinogenic Schedule I controlled substance.
<u>Iowa</u> H.F. 612, 91st Gen. Assemb., 2025-2026 Reg. Sess. (Iowa 2025)	This bill would regulate kratom in the state by requiring kratom processors to complete an annual registration process. The bill would also enact labeling requirements for kratom products and prohibit the distribution or sale of kratom products containing a level of 7-hydroxymitragynine greater than two percent of the alkaloid composition. The bill prohibits the sale of a kratom product to an individual under the age of 21.
<u>Kansas</u> H.B. 2230, 2025 Leg., 2025-2026 Reg. Sess. (Kan. 2025)	This bill would establish the Kratom Consumer Protection Act. The bill would define kratom as a food product, prohibit the sale of adulterated kratom, and require individuals to be at least 21 years of age to purchase kratom.

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Kentucky</u> H.B. 481, 2025 Gen. Assemb., Reg. Sess. (Ky. 2025)	This bill would amend KY. REV. STAT. ANN. § 217.2202 (West 2025) to eliminate the prohibition on kratom extracts and kratom products that contain greater than two percent 7-hydroxymitragynine and instead replace it with a requirement that products containing greater than two percent 7-hydroxymitragynine comply with the labeling requirement for kratom products but not be labeled or marketed as a kratom product.
<u>Massachusetts</u> H.B. 2454, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would establish a penalty for the sale, preparation, manufacturing, or distribution of kratom products that are contaminated with dangerous non-kratom substances. Prohibits a processor from distributing, selling, or exposing for sale a kratom product to an individual under the age of 18.
<u>Massachusetts</u> S.B. 1609, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would establish limitations on kratom products distributed, sold, or exposed for sale in the state. Establishes an annual registration process for kratom processors and creates labeling requirements for kratom products. Prohibits the sale of any kratom products to individuals under the age of 18.
<u>Massachusetts</u> S.B. 1558, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would ban a processor from preparing, distributing, selling, or exposing for sale any kratom product or any food containing kratom extract. Establishes an administrative fine for violations.
<u>Massachusetts</u> S.B. 1558/H.B. 1631, 194th Leg., Reg. Sess. (Mass. 2025)	This bill would make kratom a Class A controlled substance.
<u>Mississippi</u> H.B. 1896, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would establish a 15 percent excise tax on kratom products.
<u>Mississippi</u> S.B. 2734, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would establish the Kratom Control Act. It would require a state issued retail license to sell kratom and require businesses that sell kratom to post signage with certain conditions. Prohibits the sale of kratom products to individuals under the age of 21.
<u>Mississippi</u> S.B. 2737/H.B. 1553, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would establish the Mississippi Kratom Consumer Protection Act. The bill prohibits the sale of kratom products to individuals under the age of 21. Sets forth manufacturing, packaging, and labeling requirements for kratom products. Establishes a five percent excise tax on kratom products.

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Mississippi</u> H.B. 1464/S.B. 2735, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would establish the Kratom Consumer Protection Act. The bill establishes certain prohibitions for kratom retailers, wholesalers, distributors, and manufacturers and requires kratom products to be accompanied by a label bearing certain information. Requires retailers, manufacturers, and wholesalers to register each kratom product with the Department of Revenue. Prohibits the sale of kratom products to individuals under the age of 21.
<u>Mississippi</u> H.B. 1076, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would establish the Kratom Consumer Protection Act. This bill establishes certain prohibitions for kratom vendors and requires kratom products be accompanied by a label bearing certain information. Requires vendors to register each kratom product with the Department of Revenue. Prohibits the sale of kratom products to individuals under the age of 21.
<u>Mississippi</u> S.B. 2738, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would enact the Mississippi Kratom Consumer Protection Act. It would prohibit the preparation, distribution, and sale of adulterated or contaminated kratom products. Prohibits the sale of kratom products to individuals under the age of 21. Authorizes the Department of Health to administer the Act.
<u>Mississippi</u> S.B. 2736, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would enact the Mississippi Kratom Consumer Protection Act. It would prohibit the preparation, distribution, and sale of adulterated or contaminated kratom products. Prohibits the sale of kratom products to individuals under the age of 21. Authorizes the Department of Revenue to administer the Act.
<u>Mississippi</u> H.B. 1077, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would prohibit individuals under the age of 21 from entering the premises of a retailer that sells stores, or maintains kratom products. Prohibits individuals under the age of 21 from purchasing, receiving, or possessing any kratom products.
<u>Mississippi</u> S.B. 2355/H.B. 1121/S.B. 2214/H.B. 1122, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would add kratom to the list of Schedule III controlled substances.
<u>Mississippi</u> H.B. 1120/S.B. 2354/H.B. 873, 2025 Leg., Reg. Sess. (Miss. 2025)	This bill would establish a screening and approval program within the Department of Health for over-the-counter availability and retail sale of products that contain any substance with the potential to be recreationally used or abused. The purpose of the program is to reduce the retail sale and availability of products that contain certain over-the-counter substances, including, but not limited to, bath salts, kratom, and tianeptine.

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Missouri</u> H.B. 1595, 103rd Gen. Assemb., 1st Reg. Sess. (Mo. 2025)	This bill would establish the Kratom Consumer Protection Act, which would prohibit: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) dealers from selling a kratom product to an individual under the age of 18.
<u>Missouri</u> H.B. 1037, 103rd Gen. Assemb., 1st Reg. Sess. (Mo. 2025)	This bill would establish the Kratom Consumer Protection Act, which would prohibit: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) dealers from selling a kratom product to an individual under the age of 21.
<u>Montana</u> H.B. 407, 2025 Leg., Reg. Sess. (Mont. 2025)	This bill would establish the Kratom Consumer Protection Act. The bill would establish a kratom product registration program and create labeling requirements. Prohibits the sale of kratom products to individuals under the age of 18.
<u>Nebraska</u> L.B. 431, 109th Leg., Reg. Sess. (Neb. 2025)	This bill would add added mitragynine and and 7-hydroxymitragynine to the list of Schedule I controlled substances.
<u>Nebraska</u> L.B. 230, 109th Leg., Reg. Sess. (Neb. 2025)	This bill would establish the Kratom Consumer Protection Act. Prohibits the sale of kratom products to individuals under the age of 21. Establishes labeling requirements for kratom products. Requires the Department of Revenue to make a public list of all registered kratom products on its website.
<u>Nevada</u> A.B. 322, 83rd Leg., Reg. Sess. (Nev. 2025)	This bill would amend NEV. REV. STAT. ANN. § 597.998 (West 2025) to revise the definition of “kratom product” to mean food containing any part of the leaf of the <i>Mitragyna Speciosa</i> plant. Adds a requirement for kratom products to be registered with the Division of Public and Behavioral Health.
<u>New Jersey</u> A. 1188/S. 1476, 221st Leg., 2024-2025 Reg. Sess. (N.J. 2024)	This bill would establish the New Jersey Kratom Consumer Protection Act that prohibits: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) the distribution or sale of any kratom product to any individual under 21 years of age.
<u>New Jersey</u> A. 5129/S. 3981, 221st Leg, 2024-2025 Reg. Sess. (N.J. 2024)	This bill would make it a crime for any person to knowingly or purposely to manufacture, distribute, or dispense, or to possess or have under his or her control with intent to manufacture, distribute, or dispense substances containing kratom. It also makes it a crime for any person, knowingly or purposely, to obtain or to possess a substance containing kratom.

<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>New York</u> A. 2699/S. 3426/A. 2340/ S. 4552, 2025-2026 Leg., Reg. Sess. (N.Y. 2025)	This bill would prohibit the sale of kratom products to individuals under the age of 21. The bill also required the Commissioner of Health to conduct a study on kratom. The study should include, but not be limited to, the potential health risks, benefits, and effects of kratom.
<u>New York</u> A. 5852, 2025-2026 Leg., Reg. Sess. (N.Y. 2025)	This bill would require manufacturers or distributors of kratom products within the state to have a warning label that the product has not been approved by the federal food and drug administration and the products' side effects. Prohibits labeling of kratom products as all natural.
<u>New York</u> A. 4034, 2025-2026 Leg., Reg. Sess. (N.Y. 2025)	This bill would add kratom to the list of Schedule I controlled substances.
<u>North Carolina</u> H.B. 468, 2025 Gen. Assemb., Reg. Sess. (N.C. 2025)	This bill would prohibit the sale of kratom products to individuals under the age of 21. Requires that manufacturers have kratom products tested prior to distribution and requires all manufacturers and distributors to register all kratom products with the Alcohol Law Enforcement Division of the Department of Public Safety. Places certain advertising restrictions on manufacturers, distributors, and retailers of kratom products.
<u>North Carolina</u> H.B. 468, 2025 Gen. Assemb., Reg. Sess. (N.C. 2025)	This bill would add kratom to the list of Schedule VI controlled substances.
<u>North Dakota</u> H.B. 1101, 69th Leg. Assemb., Reg. Sess. (N.D. 2025)	This bill would add mitragynine to the list of Schedule I controlled substances.
<u>North Dakota</u> H.B. 1566, 69th Leg. Assemb., Reg. Sess. (N.D. 2025)	This bill would require a legislative management study to consider the implementation of regulations related to potential uses of kratom in the state.
<u>Oklahoma</u> S.B. 891, 60th Leg., 1st Sess. (Okla. 2025)	This bill would modify the definition of “kratom product” and “vendor” in § 1-1432.2.
<u>Pennsylvania</u> S.B. 233, 2025-2026 Gen. Assemb., 2025 Sess. (Pa. 2025)	This bill would prohibit the preparation, manufacture, sale, or distribution of unsafe kratom products. Prohibits the sale or distribution of kratom products to individuals younger than the age of 21.

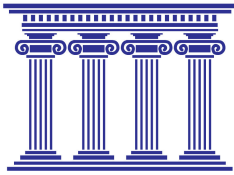
<u>PENDING STATE LEGISLATION</u>	
State/Bill Number/Status	Description
<u>Rhode Island</u> H.B. 5565/ S. 792, 2025 Gen. Assemb., Reg. Sess. (R.I. 2025)	This bill would establish the Rhode Island Kratom Act, which prohibits: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) the sale of kratom products to individuals under the age of 21. Subjects kratom products to sales and use tax. The bill would make it so that the director of health has no authority to place or maintain mitragynine and 7-hydroxymitragynine in Schedule I.
<u>South Carolina</u> S.B. 221/H.B. 4030, 126th Gen. Assemb., Reg. Sess. (S.C. 2025)	This bill would establish the South Carolina Kratom Consumer Protection Act. The act prohibits: (1) the preparation, distribution, and sale of adulterated or contaminated kratom products; and (2) the sale of kratom products to individuals under the age of 21. Establishes labeling requirements for kratom products.
<u>Tennessee</u> S.J.R. 346/H.J.R. 147, 114th Gen. Assemb., 1st Reg. Sess. (Tenn. 2025)	This joint resolution would establish that the General Assembly supports the strictest state regulation or kratom or even an outright ban on the sale of kratom in Tennessee.
<u>Texas</u> S.B. 1868, 89th Leg., Reg. Sess. (Tex. 2025)	This bill would add kratom and kratom products to Penalty Group 1 for the purpose of criminal penalties.
<u>Utah</u> H.B. 509, 66th Leg., 2025 Gen. Sess. (Utah. 2025)	This bill would add the phrase “compound kratom product” to the list of definitions in § 4-45-102. Adds two new sections to Utah’s kratom law, which would require compounded kratom products to be reviewed for human consumption safety before being sold in the state.
<u>Vermont</u> S.B 121/H.B. 416, 2025 Gen. Assemb., Reg. Sess. (Vt. 2025)	This bill would require the Department of Health to develop and maintain a registry for kratom products prepared, manufactured, sold, distributed, or maintained in the state. It further proposes labeling requirements for kratom products prepared, sold, delivered, or maintained in the state and enforcement standards for violations of the proposed provisions.

ABOUT THE LEGISLATIVE ANALYSIS AND PUBLIC POLICY ASSOCIATION

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