

HB 1037 -- KRATOM PRODUCTS

SPONSOR: Byrnes

This bill establishes the "Kratom Consumer Protection Act", which requires dealers who prepare, distribute, sell, or expose for sale kratom, as defined in the bill, to disclose the factual basis on which this representation is made. A dealer is prohibited from preparing, distributing, selling, or exposing for sale kratom that does not conform to these labeling requirements.

The General Assembly preempts the entire field of regulating kratom to the exclusion of any order, ordinance, or regulation of any political subdivision of the state. Any existing orders, ordinances, or regulations of any political subdivision of the state relating to kratom are void under this bill.

A dealer is prohibited from preparing, distributing, selling, or exposing for sale kratom that is adulterated or contaminated with a dangerous nonkratom substance, contains a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than 2% composition of the product, contains any synthetic alkaloids, or does not include on its package or label the amount of mitragynine, 7-hydroxymitragynine, or other synthetically derived compounds of the plant *Mitragyna speciosa*. A dealer is prohibited from distributing, selling, or exposing for sale kratom to anyone under 18 years of age.

The bill specifies penalties for a violation of these requirements and allows for a person who is aggrieved by a violation of the labeling requirements to bring a cause of action for damages resulting from the violation.

This bill is the same as HB 504 (2025).