

HCS HB 1037 -- KRATOM PRODUCTS (Byrnes)

COMMITTEE OF ORIGIN: Standing Committee on Emerging Issues

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.

A dealer is prohibited from preparing, distributing, selling, or exposing for sale kratom and any product marketed or sold as 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 21 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.