

Assembly Bill No. 303—Assemblymen
Wheeler and Yeager

CHAPTER.....

AN ACT relating to public health; prohibiting the sale of certain kratom products to a minor; prohibiting the preparation, distribution, advertising or sale of certain adulterated kratom products; prohibiting the sale of a kratom product that does not have a label that contains certain information; providing civil penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Section 4 of this bill prohibits: (1) a person from knowingly selling or offering to sell kratom products to a child who is less than 18 years of age; (2) the sale of certain adulterated kratom products; and (3) the sale of a kratom product that does not include a label that clearly sets forth the ingredients and directions for the safe and effective use of the kratom product. **Section 4** also establishes a civil penalty of \$1,000 for violating those provisions and defines a “kratom product.”

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~formatted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Sections 1-3. (Deleted by amendment.)

Sec. 4. Chapter 597 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A person shall 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.

2. A person shall 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. A person has not violated the provisions of this subsection if he or she can show by a preponderance of evidence that he or she relied in good faith upon the representations of a manufacturer, processor, packer or distributor of the kratom product.

3. A person shall 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.



4. A person who violates any provision of this section is subject to a civil penalty of not more than \$1,000 for each violation.

5. As used in this section, "kratom product" means any product or ingredient containing:

(a) Any part of the leaf of the Mitragyna Speciosa plant if the plant contains the alkaloid mitragynine or 7-hydroxymitragynine; or

(b) 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.

