

Senate Bill 223

By: Senator Mullis of the 53rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to
2 controlled substances, so as to provide for legislative findings; to provide a definition; to
3 provide for the identification of a standard level of kratom alkaloids and establish
4 recommended dosages; to provide for the prohibition of access to kratom to persons under
5 18 years of age; to provide for package labeling requirements; to provide for penalties; to
6 provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled
10 substances is amended by adding a new Article 6, as follows:

11 "ARTICLE 6.

12 16-13-120.

13 The General Assembly finds that research of the benefits and safety risks of kratom and its
14 role in battling opioid addiction is important to the public welfare of the citizens of
15 Georgia. This body also finds that the General Assembly, along with federal, state and local
16 law enforcement, should collaborate to create additional standards based on scientific
17 research to protect kratom users. The General Assembly also finds there is an increased
18 need to monitor kratom product quality to protect kratom consumers and all citizens.

19 16-13-121.

20 As used in this article, the term 'kratom' means the tropical evergreen known as the
21 Mitragyna speciosa that is native to Southeast Asia that contains the alkaloid mitragynine
22 which has stimulant and opioid-like properties.

23 16-13-122.

24 (a) The Georgia Bureau of Investigation shall work with the United States Drug
 25 Enforcement Agency to identify a standard level of kratom alkaloids, specifically
 26 mitragynine and 7-hydroxymitragynine, that is naturally found in Mitragyna speciosa.

27 (b) Based on the findings pursuant to subsection (a) of this Code section, a recommenced
 28 dosage shall be established according to the standard level of alkaloids naturally found in
 29 kratom, as well as a list of other substances that have harmful interactions with kratom.

30 16-13-123.

31 No person shall sell or transfer possession of any kratom to another person under 18 years
 32 of age, nor shall any person under 18 years of age possess or buy any amount kratom.

33

34 16-13-124.

35 Kratom packaging shall be accompanied by a label bearing the following information prior
 36 to its sale in this state:

37 (1) Clearly labeled ingredients;

38 (2) That the sale or transfer possession of any kratom to another person under 18 years
 39 of age is prohibited;

40 (3) The amount of mitragynine and 7-hydroxymitragynine contained in the product;

41 (4) The amount of mitragynine and 7-hydroxymitragynine contained in the packaging;

42 (5) The common or usual name of each ingredient used in the manufacture of the kratom
 43 product, listed in descending order of predominance;

44 (6) The name and the principal mailing address of the manufacturer or the person
 45 responsible for distributing the kratom product;

46 (7) Clear and adequate directions for the consumption of kratom the product necessary
 47 for its safe and effective use; and

48 (8) Any precautionary statements as to the safety and effectiveness of the kratom
 49 product.

50 16-13-125.

51 Any person who distributes or possesses kratom with the intent to distribute to any person
 52 under 18 years of age shall be guilty of a misdemeanor."

53

SECTION 2.

54 All laws and parts of laws in conflict with this Act are repealed.