

Regular Session, 2012

SENATE BILL NO. 130

BY SENATOR CROWE

CRIME/PUNISHMENT. Prohibits the sale of Kratom to or the purchase or possession of Kratom by any person under 18 years of age. (gov sig)

1 AN ACT

2 To enact R.S. 14:91.9, relative to crimes involving the distribution, purchase, or possession
3 of certain substances; to create the crime of unlawful distribution, purchase, or
4 possession of Kratom; to provide for definitions; to provide for penalties; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:91.9 is hereby enacted to read as follows:

8 **§91.9. Unlawful distribution, purchase, or possession of Kratom; penalties**

9 **A. It is unlawful for any manufacturer, distributor, retailer, or other**
10 **person knowingly to distribute Kratom to any person under the age of eighteen**
11 **years.**

12 **B. It is unlawful for any person under the age of eighteen years to**
13 **purchase or possess Kratom.**

14 **C. For the purposes of this Section:**

15 **(1) "Distribute" means to sell, barter, trade, furnish, supply, provide, or**
16 **otherwise transfer to another person.**

17 **(2) "Kratom" means a tropical tree of the genus and species Mitragyna**

1 **speciosa, its leaves, or any extract, powder, capsule, or other substance derived**
2 **therefrom.**

3 **D. Whoever violates the provisions of this Section shall be fined not more**
4 **than five hundred dollars, or imprisoned for not more than six months, or both.**

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
9 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Proposed law makes it a crime for any manufacturer, distributor, retailer, or other person knowingly to distribute Kratom to any person under the age of 18.

Proposed law further makes it a crime for any person under the age of 18 to purchase or possess Kratom.

Proposed law provides the following definitions:

1. "Distribute" means to sell, barter, trade, furnish, supply, provide, or otherwise transfer to another person.
2. "Kratom" means a tropical tree of the genus and species *Mitragyna speciosa*, its leaves, or any extract, powder, capsule, or other substance derived therefrom.

Proposed law provides that whoever violates the provisions of proposed law is to be fined not more than \$500, or imprisoned for not more than six months, or both.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:91.9)