

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1639

By: Prieto and Bullard of the
Senate

and

Pae of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to public health and safety; amending
12 63 O.S. 2021, Section 1-1432.2, which relates to the
13 Oklahoma Kratom Consumer Protection Act; modifying
14 scope of certain definition; and providing an
15 effective date.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-1432.2, is
18 amended to read as follows:

19 Section 1-1432.2 As used in this act:

20 1. "Food" means a food, food product, food ingredient, dietary
21 ingredient, dietary supplement or beverage for human consumption;

22 2. "Kratom product" means a food ~~product~~ or ~~ingredient~~
23 ~~containing any part of the~~ dietary supplement that consists of or
24 contains kratom leaf of the plant *Mitragyna speciosa* or kratom leaf

1 extract that does not contain any synthesized kratom alkaloids,
2 other synthesized kratom constituents, or synthesized metabolites of
3 any kratom constituent in which the level of 7-hydroxymitragynine,
4 on a percent weight basis, is not greater than one percent (1%) of
5 the amount of total kratom alkaloids, as confirmed with a high-
6 performance liquid chromatography testing method. For purposes of
7 this paragraph, "synthesized" refers to substances produced using
8 directed synthetic or biosynthetic chemistry, as opposed to
9 traditional food preparation techniques such as heating or
10 extracting; and

11 3. "Vendor" means a person that sells, prepares or maintains
12 kratom products or that advertises, represents or holds itself out
13 as selling, preparing or maintaining kratom products and includes a
14 manufacturer, wholesaler, store, restaurant, hotel, catering
15 facility, camp, bakery, delicatessen, supermarket, grocery store,
16 convenience store, nursing home or food or drink company.

17 SECTION 2. This act shall become effective November 1, 2024.
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19 COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
20 SUBSTANCES, dated 04/11/2024 - DO PASS, As Amended.
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