

SENATE BILL 1390

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, relative to Kratom.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-452(a)(3)(A), is amended by adding the following as new subdivisions:

() Sell, or offer for sale, Kratom in a package size less than five ounces (5 oz.) or more than seven ounces (7 oz.);

() Sell, or offer for sale, Kratom, unless such person is a retailer;

SECTION 2. Tennessee Code Annotated, Section 39-17-452(a)(3)(B), is amended by adding the following as new subdivisions:

() "Retailer" means every person, partnership, firm, corporation, or association engaged in the business of making sales at retail within this state;

() "Sales at retail" means and includes any transfer, made in the ordinary course of trade or in the usual prosecution of the seller's business, of title to tangible personal property to the purchaser for use or consumption and for a valuable consideration;

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.