

(Reprinted with amendments adopted on April 22, 2019)

FIRST REPRINT

A.B. 303

ASSEMBLY BILL NO. 303—ASSEMBLYMEN  
WHEELER AND YEAGER

MARCH 18, 2019

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to kratom products.  
(BDR 52-1055)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Yes.

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

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:**

1 **Section 4** of this bill prohibits: (1) a person from knowingly selling or offering  
2 to sell kratom products to a child who is less than 18 years of age; (2) the sale of  
3 certain adulterated kratom products; and (3) the sale of a kratom product that does  
4 not include a label that clearly sets forth the ingredients and directions for the safe  
5 and effective use of the kratom product. **Section 4** also establishes a civil penalty of  
6 \$1,000 for violating those provisions.

7 **Section 2** of this bill defines a “kratom product.”

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

1 **Section 1.** Chapter 597 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 and 4 of this act.

3 **Sec. 2.** *As used in sections 2 and 4 of this act, “kratom*  
4 *product” means any product or ingredient containing any part of*  
5 *the leaf of the Mitragyna Speciosa plant if the plant contains the*



1 *alkaloid mitragynine, regardless of whether the product or*  
2 *ingredient is labeled or sold for human consumption.*

3 **Sec. 3.** (Deleted by amendment.)

4 **Sec. 4.** 1. *A person shall not knowingly sell or offer to sell*  
5 *any material, compound, mixture or preparation containing a*  
6 *kratom product to a child under the age of 18 years.*

7 2. *A person shall not knowingly prepare, distribute, advertise,*  
8 *sell or offer to sell a kratom product that is adulterated with a*  
9 *substance that affects the quality or strength of the kratom product*  
10 *to such a degree as to render the kratom product injurious to a*  
11 *consumer. A person has not violated the provisions of this*  
12 *subsection if he or she can show by a preponderance of evidence*  
13 *that he or she relied in good faith upon the representations of a*  
14 *manufacturer, processor, packer or distributor of the kratom*  
15 *product.*

16 3. *A person shall not sell a kratom product that does not have*  
17 *a label that clearly sets forth the ingredients and directions for the*  
18 *safe and effective use of the kratom product.*

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

