

The House Committee on Judiciary Non-Civil offers the following substitute to HB 551:

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 a definition; to provide for the prohibition of access
3 to kratom to persons under 18 years of age; to provide for package labeling requirements; to
4 provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

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

10 ARTICLE 6.

11 16-13-120.

12 As used in this article, the term 'kratom' means the tropical evergreen known as Mitragyna
13 speciosa, which is native to Southeast Asia and contains the alkaloid mitragynine.

14 16-13-121.

15 No person shall sell or transfer possession of kratom to another person under 18 years of
16 age, nor shall any person under 18 years of age possess kratom. A person who is convicted
17 of violating this Code section shall be guilty of a misdemeanor.

18
19 16-13-122.

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

22 (1) Clearly labeled ingredients;

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

- 25 (3) The amount of mitragynine and 7-hydroxymitragynine contained in such product;
26 (4) The amount of mitragynine and 7-hydroxymitragynine contained in the packaging
27 for such product;
28 (5) The common or usual name of each ingredient used in the manufacture of such
29 product, listed in descending order of predominance;
30 (6) The name and the principal mailing address of the manufacturer or the person
31 responsible for distributing such product;
32 (7) Clear and adequate directions for the consumption and safe and effective use of such
33 product; and
34 (8) Any precautionary statements as to the safety and effectiveness of such product."

35 **SECTION 2.**

36 All laws and parts of laws in conflict with this Act are repealed.