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Kratom Adjustments
 2026 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: Michael K. McKell
 House Sponsor: Katy Hall

Cosponsor: Jennifer Dailey-Provost
 Brady Brammer

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LONG TITLE

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General Description:

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This bill amends provisions related to kratom.

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Highlighted Provisions:

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This bill:

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▸ defines terms;

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▸ requires a kratom processor and kratom retailer to register with the Department of

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Agriculture and Food;

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▸ only allows a retail tobacco specialty business to sell kratom;

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▸ bans the sale of certain kratom products;

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▸ amends provisions related to penalties and fees;

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▸ amends the age for who can purchase a kratom product;

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▸ schedules 7-hydroxymitragynine, including synthetics, if the 7-hydroxymitragynine

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concentration exceeds a certain percentage as a schedule I controlled substance; and

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▸ schedules Mitragynine pseudoindoxyl, including synthetics.

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Money Appropriated in this Bill:

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None

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Other Special Clauses:

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None

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Utah Code Sections Affected:

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AMENDS:

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4-45-102, as enacted by Laws of Utah 2019, Chapter 329

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4-45-103, as enacted by Laws of Utah 2019, Chapter 329

- 26 **4-45-104**, as enacted by Laws of Utah 2019, Chapter 329
 27 **4-45-105**, as enacted by Laws of Utah 2019, Chapter 329
 28 **4-45-108**, as enacted by Laws of Utah 2019, Chapter 329
 29 **58-37-4**, as last amended by Laws of Utah 2025, Chapter 216

30 ENACTS:

31 **58-37-3.4**, Utah Code Annotated 1953

32 REPEALS:

33 **4-45-101**, as enacted by Laws of Utah 2019, Chapter 329

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35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **4-45-102** is amended to read:

37 **CHAPTER 45. Kratom Regulation Act**

38 **4-45-102 . Definitions.**

39 As used in this chapter:

40 [(1) "Commissioner" means the commissioner of the department.]

41 [(2) "Department" means the Department of Agriculture and Food created in Section
 42 4-2-102.]

43 [(3) "Food" means:]

44 [(a) an article used for food or drink for human or animal consumption or the
 45 components of the article;]

46 [(b) chewing gum or chewing gum components; or]

47 [(c) a food supplement for special dietary use that is necessitated because of a physical,
 48 physiological, pathological, or other condition.]

49 (1) "Kratom extract" means a preparation containing any part of the *Mitragyna speciosa*
 50 plant in a concentrated form.

51 [(4)] (2) "Kratom processor" means a person who [:]

52 [(a) sells, prepares, or maintains] prepares, processes, manufactures, or distributes a
 53 kratom product[; or] .

54 [(b) advertises, represents, or holds oneself out as selling, preparing, or maintaining a
 55 kratom product.]

56 [(5)] (3) "Kratom product" [~~mean food~~] means a product containing any part of a leaf of the
 57 plant *Mitragyna speciosa*.

58 (4) "Kratom retailer" means a person who sells a kratom product for retail sale in the state.

59 (5) "Pure leaf kratom" means a kratom product that:

- 60 (a) is identifiable as plant matter or is identifiable plant matter contained in an
- 61 encapsulating agent described in Subsection (5)(b);
- 62 (b) is not mixed or packed with a nonkratom substance unless the nonkratom substance
- 63 is an inert encapsulating agent that:
- 64 (i) is composed of food-grade or pharmaceutical-grade materials with no
- 65 pharmacological activity;
- 66 (ii) contains no psychoactive substances, stimulants, or adulterants; and
- 67 (iii) serves solely to contain or deliver the plant matter;
- 68 (c) does not contain any kratom extract; and
- 69 (d) does not contain 7-hydroxymitragynine at a level greater than 0.4% of the total
- 70 kratom alkaloid composition of the product.
- 71 (6) "Total kratom alkaloid composition" means the total amount of all alkaloids derived
- 72 from the Mitragyna speciosa plant.

73 Section 2. Section **4-45-103** is amended to read:

74 **4-45-103 . Factual basis for claim as kratom product required -- Administrative**
 75 **penalty -- Request for hearing.**

- 76 (1) A kratom processor shall disclose on the product label of each kratom product that the
- 77 kratom processor prepares, distributes, sells, or offers for sale the factual basis upon
- 78 which the kratom processor represents the ~~[food]~~ product as a kratom product.
- 79 (2) For a violation of Subsection (1), a kratom processor is subject to an administrative fine [
- 80 ~~of:~~ up to \$5,000.
- 81 ~~[(a) up to \$500 for the first offense; and]~~
- 82 ~~[(b) up to \$1,000 for a second or subsequent offense.]~~
- 83 (3) Upon the request of a kratom processor fined under this section, the commissioner shall
- 84 conduct a hearing in accordance with Title 63G, Chapter 4, Administrative Procedures
- 85 Act.

86 Section 3. Section **4-45-104** is amended to read:

87 **4-45-104 . Kratom processor and kratom retailer requirements -- Criminal**
 88 **penalty.**

- 89 (1) A kratom processor or kratom retailer may not prepare, possess, distribute, sell, or offer
- 90 for sale a kratom product that:
- 91 (a) ~~[that is mixed or packed with a nonkratom substance that affects the quality or~~
- 92 ~~strength of the kratom product to such a degree as to render the kratom product~~
- 93 ~~injurious to a consumer;]~~ is not pure leaf kratom; and

- 94 ~~[(b) that contains a poisonous or otherwise deleterious nonkratom ingredient, including a~~
 95 ~~controlled substance as defined in Section 58-37-2;]~~
- 96 ~~[(e) containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater~~
 97 ~~than 2% of the alkaloid composition of the kratom product;]~~
- 98 ~~[(d) containing a synthetic alkaloid, including synthetic mitragynine, synthetic~~
 99 ~~7-hydroxymitragynine, or any other synthetically derived compound of the kratom~~
 100 ~~plant; or]~~
- 101 ~~[(e)]~~ (b) ~~[that]~~ does not include a product label on the kratom product packaging that
 102 states the amount of mitragynine and 7-hydroxymitragynine contained in the
 103 packaged kratom product.
- 104 (2) A kratom processor or kratom retailer who violates Subsection (1) is guilty of:
- 105 (a) a class [C] B misdemeanor for [each violation.] the first violation;
- 106 (b) a class A misdemeanor for a second violation; and
- 107 (c) a third degree felony for any subsequent violation.
- 108 ~~[(3) A kratom processor does not violate Subsection (1) if the kratom processor shows by a~~
 109 ~~preponderance of the evidence that the kratom processor relied in good faith upon the~~
 110 ~~representation of a manufacturer, processor, packer, or distributor of food represented to~~
 111 ~~be a kratom product.]~~
- 112 ~~[(4)]~~ (3) A kratom processor or kratom retailer may not prepare, distribute, sell, or offer for
 113 sale a kratom product that is not registered with the department in accordance with this
 114 chapter.
- 115 ~~[(5)]~~ (4)(a) A kratom processor shall register as a food establishment in accordance with
 116 Section 4-5-301 and with the department as a kratom processor.
- 117 (b) A kratom retailer shall register with the department as a kratom retailer.
- 118 (c) The department may not register a person as a kratom retailer unless the kratom
 119 retailer is licensed as a retail tobacco specialty business under Sections 10-8-41.6 and
 120 17-78-1004.
- 121 (d) The department shall set a fee to register the following:
- 122 (i) a kratom processor; and
- 123 (ii) a kratom retailer.
- 124 (e) The department shall:
- 125 (i) set an administrative fine not to exceed \$5,000 for a person who sells a kratom
 126 product if the person is not registered as a kratom processor or kratom retailer
 127 with the department; and

128 (ii) assess the fine described in Subsection (4)(e)(i) against any person who offers a
129 kratom product for sale in this state if the person is not registered as a kratom
130 processor or kratom retailer.

131 (5) Notwithstanding Subsection (1)(a), until March 6, 2027, a kratom processor may
132 prepare, possess, distribute, sell, or offer for sale a kratom product that is not a pure leaf
133 kratom product if the kratom product:

134 (a) is not offered for retail sale or distribution in this state;

135 (b) is manufactured and distributed for lawful sale in another state; and

136 (c) does not contain 7-hydroxymitragynine at a level greater than 0.4% of the total
137 kratom alkaloid composition of the product.

138 Section 4. Section **4-45-105** is amended to read:

139 **4-45-105 . Prohibition on sale to minors -- Criminal penalty.**

140 (1) A kratom processor or kratom retailer may not distribute, sell, or offer for sale a kratom
141 product to an individual under [~~18~~] 21 years[~~-of age~~] old.

142 (2) A kratom processor or kratom retailer who violates this section is guilty of a class [€] A
143 misdemeanor for each violation.

144 Section 5. Section **4-45-108** is amended to read:

145 **4-45-108 . Registration of kratom products -- Department duties.**

146 (1) The department shall set a fee to register a kratom product, in accordance with Section
147 4-2-103.

148 (2) The fee described in Subsection (1) may be paid by [~~a producer, manufacturer, or~~
149 ~~distributor of a kratom product~~] any person, but a kratom product may not be registered
150 with the department until the fee is paid.

151 (3) The department shall:

152 (a) set an administrative fine[~~, larger than the fee described in Subsection (1),~~] not to
153 exceed \$5,000 for a person who sells a kratom product that is not registered with the
154 department; and

155 (b) assess the fine described in Subsection (3)(a) against any person who offers an
156 unregistered kratom product for sale in this state.

157 (4) The department may seize and destroy any unregistered kratom product offered for sale
158 in this state.

159 Section 6. Section **58-37-3.4** is enacted to read:

160 **58-37-3.4 . Exemption for 7-hydroxymitragynine in kratom products.**

161 (1) As used in this section, "pure leaf kratom" means the same as that term is defined in

162 Section 4-45-102.

163 (2) Notwithstanding any other provision of this chapter a person who possesses,
 164 manufacturers, or distributes pure leaf kratom is not subject to the penalties described in
 165 this title for the possession, manufacture, or distribution of 7-hydroxymitragynine to the
 166 extent that the person's possession, manufacture, or distribution of the pure leaf kratom
 167 complies with Title 4, Chapter 45, Kratom Regulation Act.

168 (3) Notwithstanding any other provision of this chapter and until March 6, 2027, a person
 169 who possesses, manufacturers, or distributes a kratom product in accordance with
 170 Subsection 4-45-104(5) is not subject to the penalties described in this title for the
 171 possession, manufacture, or distribution of 7-hydroxymitragine.

172 Section 7. Section **58-37-4** is amended to read:

173 **58-37-4 . Schedules of controlled substances -- Schedules I through V -- Findings**
 174 **required -- Specific substances included in schedules.**

175 (1) There are established five schedules of controlled substances known as Schedules I, II,
 176 III, IV, and V which consist of substances listed in this section.

177 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by the
 178 official name, common or usual name, chemical name, or brand name designated:

179 (a) Schedule I:

180 (i) Unless specifically excepted or unless listed in another schedule, any of the
 181 following opiates, including their isomers, esters, ethers, salts, and salts of
 182 isomers, esters, and ethers, when the existence of the isomers, esters, ethers, and
 183 salts is possible within the specific chemical designation:

184 (A) Acetyl-alpha-methylfentanyl

185 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

186 (B) Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

187 (C) Acetylmethadol;

188 (D) Acryl fentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacrylamide);

189 (E) Allylprodine;

190 (F) Alphacetylmethadol, except levo-alphacetylmethadol also known as
 191 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

192 (G) Alphameprodine;

193 (H) Alphamethadol;

194 (I) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
 195 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

- 196 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
197 piperidiny]-N-phenylpropanamide);
- 198 (K) Benzylpiperazine;
- 199 (L) Benzethidine;
- 200 (M) Betacetylmethadol;
- 201 (N) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
202 piperidiny]-N-phenylpropanamide);
- 203 (O) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
204 phenethyl)-3-methyl-4-piperidiny]-N-phenylpropanamide;
- 205 (P) Betameprodine;
- 206 (Q) Betamethadol;
- 207 (R) Betaprodine;
- 208 (S) Butyryl fentanyl (N-(1-(2-phenylethyl)-4-piperidiny)-N-phenylbutyramide);
- 209 (T) Clonitazene;
- 210 (U) Cyclopropyl fentanyl
211 (N-(1-Phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
- 212 (V) Dextromoramide;
- 213 (W) Diampromide;
- 214 (X) Diethylthiambutene;
- 215 (Y) Difenoxin;
- 216 (Z) Dimenoxadol;
- 217 (AA) Dimepheptanol;
- 218 (BB) Dimethylthiambutene;
- 219 (CC) Dioxaphetyl butyrate;
- 220 (DD) Dipipanone;
- 221 (EE) Ethylmethylthiambutene;
- 222 (FF) Etizolam
223 (1-Methyl-6-o-chlorophenyl-8-ethyl-4H-s-triazolo[3,4-c]thieno[2,3-e]1,4-diazepine);
- 224 (GG) Etonitazene;
- 225 (HH) Etoxidine;
- 226 (II) Furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]
227 furan-2-carboxamide);
- 228 (JJ) Furethidine;
- 229 (KK) Hydroxypethidine;

- 230 (LL) Ketobemidone;
- 231 (MM) Levomoramide;
- 232 (NN) Levophenacymorphan;
- 233 (OO) Methoxyacetyl fentanyl
- 234 (2-Methoxy-N-(1-phenylethylpiperidinyl-4-yl)-N-acetamide);
- 235 (PP) Morpheridine;
- 236 (QQ) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 237 (RR) Noracymethadol;
- 238 (SS) Norlevorphanol;
- 239 (TT) Normethadone;
- 240 (UU) Norpipanone;
- 241 (VV) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]
- 242 propanamide);
- 243 (WW) Para-fluoroisobutyryl fentanyl
- 244 (N-(4-Fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
- 245 (XX) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 246 (YY) Phenadoxone;
- 247 (ZZ) Phenampromide;
- 248 (AAA) Phenibut;
- 249 (BBB) Phenomorphan;
- 250 (CCC) Phenoperidine;
- 251 (DDD) Piritramide;
- 252 (EEE) Proheptazine;
- 253 (FFF) Properidine;
- 254 (GGG) Propiram;
- 255 (HHH) Racemoramide;
- 256 (III) Tetrahydrofuran fentanyl
- 257 (N-(1-Phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
- 258 (JJJ) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;
- 259 (KKK) Tianeptine;
- 260 (LLL) Tilidine;
- 261 (MMM) Trimeperidine;
- 262 (NNN) 3-methylfentanyl, including the optical and geometric isomers
- 263 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide);

- 264 (OOO) 3-methylthiofentanyl
265 (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
266 (PPP) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide also
267 known as U-47700; and
268 (QQQ) 4-cyano CUMYL-BUTINACA.
- 269 (ii) Unless specifically excepted or unless listed in another schedule, any of the
270 following opium derivatives, their salts, isomers, and salts of isomers when the
271 existence of the salts, isomers, and salts of isomers is possible within the specific
272 chemical designation:
- 273 (A) Acetorphine;
 - 274 (B) Acetyldihydrocodeine;
 - 275 (C) Benzylmorphine;
 - 276 (D) Codeine methylbromide;
 - 277 (E) Codeine-N-Oxide;
 - 278 (F) Cyprenorphine;
 - 279 (G) Desomorphine;
 - 280 (H) Dihydromorphine;
 - 281 (I) Drotebanol;
 - 282 (J) Etorphine (except hydrochloride salt);
 - 283 (K) Heroin;
 - 284 (L) Hydromorphenol;
 - 285 (M) Methyl-desorphine;
 - 286 (N) Methylhydromorphine;
 - 287 (O) Morphine methylbromide;
 - 288 (P) Morphine methylsulfonate;
 - 289 (Q) Morphine-N-Oxide;
 - 290 (R) Myrophine;
 - 291 (S) Nicocodeine;
 - 292 (T) Nicomorphine;
 - 293 (U) Normorphine;
 - 294 (V) Pholcodine; and
 - 295 (W) Thebacon.
- 296 (iii) Unless specifically excepted or unless listed in another schedule, any material,
297 compound, mixture, or preparation which contains any quantity of the following

- 298 hallucinogenic substances, or which contains any of their salts, isomers, and salts
299 of isomers when the existence of the salts, isomers, and salts of isomers is possible
300 within the specific chemical designation; as used in this Subsection (2)(a)(iii)
301 only, "isomer" includes the optical, position, and geometric isomers:
- 302 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase; α
303 -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
 - 304 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
305 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
 - 306 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:
307 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
308 2C-B, Nexus;
 - 309 (D) 2,5-dimethoxyamphetamine, some trade or other names: 2,5-dimethoxy- α
310 -methylphenethylamine; 2,5-DMA;
 - 311 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
 - 312 (F) 4-methoxyamphetamine, some trade or other names: 4-methoxy- α
313 -methylphenethylamine; paramethoxyamphetamine, PMA;
 - 314 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
 - 315 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
316 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
 - 317 (I) 3,4-methylenedioxy amphetamine;
 - 318 (J) 3,4-methylenedioxymethamphetamine (MDMA);
 - 319 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
320 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE,
321 MDEA;
 - 322 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
323 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy
324 MDA;
 - 325 (M) 3,4,5-trimethoxy amphetamine;
 - 326 (N) Bufotenine, some trade and other names: 3-(β
327 -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
328 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
 - 329 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
 - 330 (P) Dimethyltryptamine, some trade or other names: DMT;
- 331

- 332 (Q) Ibogaine, some trade and other names: 7-Ethyl-6,6 β
333 ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2]
334 azepino [5,4-b] indole; Tabernanthe iboga;
- 335 (R) Lysergic acid diethylamide;
- 336 (S) Marijuana;
- 337 (T) Mescaline;
- 338 (U) Parahexyl, some trade or other names:
339 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;
340 Synhexyl;
- 341 (V) Peyote, meaning all parts of the plant presently classified botanically as
342 Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any
343 extract from any part of such plant, and every compound, manufacture, salts,
344 derivative, mixture, or preparation of such plant, its seeds or extracts
(Interprets 21 USC 812(c), Schedule I(c) (12));
- 345 (W) N-ethyl-3-piperidyl benzilate;
- 346 (X) N-methyl-3-piperidyl benzilate;
- 347 (Y) Psilocybin;
- 348 (Z) Psilocyn;
- 349 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus Cannabis
350 (cannabis plant), except for marijuana as defined in Subsection
351 58-37-2(1)(aa)(i)(E), as well as synthetic equivalents of the substances
352 contained in the cannabis plant, or in the resinous extractives of Cannabis, sp.
353 and/or synthetic substances, derivatives, and their isomers with similar
354 chemical structure and pharmacological activity to those substances contained
355 in the plant, such as the following: Δ 1 cis or trans tetrahydrocannabinol, and
356 their optical isomers Δ 6 cis or trans tetrahydrocannabinol, and their optical
357 isomers Δ 3,4 cis or trans tetrahydrocannabinol, and its optical isomers, and since
358 nomenclature of these substances is not internationally standardized,
359 compounds of these structures, regardless of numerical designation of atomic
360 positions covered;
- 361 (BB) Ethylamine analog of phencyclidine, some trade or other names:
362 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
363 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;
- 364 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:

- 365 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 366 (DD) Thiophene analog of phencyclidine, some trade or other names:
- 367 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine,
- 368 TPCP, TCP; and
- 369 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.
- 370 (iv) Unless specifically excepted or unless listed in another schedule, any material
- 371 compound, mixture, or preparation which contains any quantity of the following
- 372 substances having a depressant effect on the central nervous system, including its
- 373 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
- 374 salts of isomers is possible within the specific chemical designation:
- 375 (A) Mecloqualone; and
- 376 (B) Methaqualone.
- 377 (v) Any material, compound, mixture, or preparation containing any quantity of the
- 378 following substances having a stimulant effect on the central nervous system,
- 379 including their salts, isomers, and salts of isomers:
- 380 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
- 381 or 4,5-dihydro-5-phenyl-2-oxazolamine;
- 382 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,
- 383 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;
- 384 (C) Fenethylamine;
- 385 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
- 386 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
- 387 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone;
- 388 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432,
- 389 its salts, optical isomers, and salts of optical isomers;
- 390 (E) (\pm)cis-4-methylaminorex ((\pm)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 391 (F) N-ethylamphetamine; and
- 392 (G) N,N-dimethylamphetamine, also known as
- 393 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 394 (vi) Any material, compound, mixture, or preparation which contains any quantity of
- 395 the following substances, including their optical isomers, salts, and salts of
- 396 isomers, subject to temporary emergency scheduling:
- 397 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and
- 398 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thenylfentanyl).

399 (vii) Unless specifically excepted or unless listed in another schedule, any material,
400 compound, mixture, or preparation which contains any quantity of gamma
401 hydroxy butyrate (gamma hydrobutyric acid), including its salts, isomers, and
402 salts of isomers.

403 (viii) Unless specifically excepted or unless listed in another schedule, the following
404 substances commonly found in *Mitragyna speciosa*, including synthetic versions,
405 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, when the
406 existence of the isomers, esters, ethers, and salts is possible within the specific
407 chemical designation:

408 (A) 7-hydroxymitragynine (methyl
409 (E)-2-[(2S,3S,7aS,12bS)-3-ethyl-7a-hydroxy-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-
indolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate);

410 and

411 (B) Mitragynine pseudoindoxyl (methyl
412 (E)-2-[(2S,6'S,7'S,8'aS)-6'-ethyl-4-methoxy-3-oxospiro[1H-indole-2,1'-3,5,6,7,8,8a-
hexahydro-2H-indolizine]-7'-yl]-3-methoxyprop-2-enoate).

413 (b) Schedule II:

414 (i) Unless specifically excepted or unless listed in another schedule, any of the
415 following substances whether produced directly or indirectly by extraction from
416 substances of vegetable origin, or independently by means of chemical synthesis,
417 or by a combination of extraction and chemical synthesis:

418 (A) Opium and opiate, and any salt, compound, derivative, or preparation of
419 opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene,
420 naloxone, and naltrexone, and their respective salts, but including:

421 (I) Raw opium;

422 (II) Opium extracts;

423 (III) Opium fluid;

424 (IV) Powdered opium;

425 (V) Granulated opium;

426 (VI) Tincture of opium;

427 (VII) Codeine;

428 (VIII) Ethylmorphine;

429 (IX) Etorphine hydrochloride;

430 (X) Hydrocodone;

- 431 (XI) Hydromorphone;
432 (XII) Metopon;
433 (XIII) Morphine;
434 (XIV) Oxycodone;
435 (XV) Oxymorphone; and
436 (XVI) Thebaine;
- 437 (B) Any salt, compound, derivative, or preparation which is chemically equivalent
438 or identical with any of the substances referred to in Subsection (2)(b)(i)(A),
439 except that these substances may not include the isoquinoline alkaloids of
440 opium;
- 441 (C) Opium poppy and poppy straw;
- 442 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves,
443 and any salt, compound, derivative, or preparation which is chemically
444 equivalent or identical with any of these substances, and includes cocaine and
445 ecgonine, their salts, isomers, derivatives, and salts of isomers and derivatives,
446 whether derived from the coca plant or synthetically produced, except the
447 substances may not include decocainized coca leaves or extraction of coca
448 leaves, which extractions do not contain cocaine or ecgonine; and
- 449 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in
450 either liquid, solid, or powder form which contains the phenanthrene alkaloids
451 of the opium poppy.
- 452 (ii) Unless specifically excepted or unless listed in another schedule, any of the
453 following opiates, including their isomers, esters, ethers, salts, and salts of
454 isomers, esters, and ethers, when the existence of the isomers, esters, ethers, and
455 salts is possible within the specific chemical designation, except dextrorphan and
456 levopropoxyphene:
- 457 (A) Alfentanil;
458 (B) Alphaprodine;
459 (C) Anileridine;
460 (D) Bezitramide;
461 (E) Bulk dextropropoxyphene (nondosage forms);
462 (F) Carfentanil;
463 (G) Dihydrocodeine;
464 (H) Diphenoxylate;

- 465 (I) Fentanyl;
- 466 (J) Isomethadone;
- 467 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,
468 levomethadyl acetate, or LAAM;
- 469 (L) Levomethorphan;
- 470 (M) Levorphanol;
- 471 (N) Metazocine;
- 472 (O) Methadone;
- 473 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
- 474 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
475 1-diphenylpropane-carboxylic acid;
- 476 (R) Pethidine (meperidine);
- 477 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- 478 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- 479 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 480 (V) Phenazocine;
- 481 (W) Piminodine;
- 482 (X) Racemethorphan;
- 483 (Y) Racemorphan;
- 484 (Z) Remifentanyl; and
- 485 (AA) Sufentanyl.
- 486 (iii) Unless specifically excepted or unless listed in another schedule, any material,
487 compound, mixture, or preparation which contains any quantity of the following
488 substances having a stimulant effect on the central nervous system:
- 489 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 490 (B) Methamphetamine, its salts, isomers, and salts of its isomers;
- 491 (C) Phenmetrazine and its salts; and
- 492 (D) Methylphenidate.
- 493 (iv) Unless specifically excepted or unless listed in another schedule, any material,
494 compound, mixture, or preparation which contains any quantity of the following
495 substances having a depressant effect on the central nervous system, including its
496 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
497 salts of isomers is possible within the specific chemical designation:
- 498 (A) Amobarbital;

- 499 (B) Glutethimide;
500 (C) Pentobarbital;
501 (D) Phencyclidine;
502 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
503 1-piperidinocyclohexanecarbonitrile (PCC); and
504 (F) Secobarbital.
- 505 (v)(A) Unless specifically excepted or unless listed in another schedule, any
506 material, compound, mixture, or preparation which contains any quantity of
507 Phenylacetone.
- 508 (B) Some of these substances may be known by trade or other names:
509 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone.
- 510 (vi) Nabilone, another name for nabilone: (\pm
511 $\text{-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,}$
512 $\text{6-dimethyl-9H-dibenzo[b,d]pyran-9-one.}$
- 513 (vii) A drug product or preparation that contains any component of marijuana,
514 including tetrahydrocannabinol, and is approved by the United States Food and
515 Drug Administration and scheduled by the Drug Enforcement Administration in
516 Schedule II of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 517 (c) Schedule III:
- 518 (i) Unless specifically excepted or unless listed in another schedule, any material,
519 compound, mixture, or preparation which contains any quantity of the following
520 substances having a stimulant effect on the central nervous system, including its
521 salts, isomers whether optical, position, or geometric, and salts of the isomers
522 when the existence of the salts, isomers, and salts of isomers is possible within the
523 specific chemical designation:
- 524 (A) Those compounds, mixtures, or preparations in dosage unit form containing
525 any stimulant substances listed in Schedule II, which compounds, mixtures, or
526 preparations were listed on August 25, 1971, as excepted compounds under
527 Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other
528 drug of the quantitative composition shown in that list for those drugs or which
529 is the same except that it contains a lesser quantity of controlled substances;
- 530 (B) Benzphetamine;
531 (C) Chlorphentermine;
532 (D) Clortermine; and

- 533 (E) Phendimetrazine.
- 534 (ii) Unless specifically excepted or unless listed in another schedule, any material,
535 compound, mixture, or preparation which contains any quantity of the following
536 substances having a depressant effect on the central nervous system:
- 537 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
538 pentobarbital, or any salt of any of them, and one or more other active
539 medicinal ingredients which are not listed in any schedule;
- 540 (B) Any suppository dosage form containing amobarbital, secobarbital, or
541 pentobarbital, or any salt of any of these drugs which is approved by the United
542 States Food and Drug Administration for marketing only as a suppository;
- 543 (C) Any substance which contains any quantity of a derivative of barbituric acid
544 or any salt of any of them;
- 545 (D) Chlorhexadol;
- 546 (E) Buprenorphine;
- 547 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
548 isomers, and salts of isomers, for which an application is approved under the
549 federal Food, Drug, and Cosmetic Act, Section 505;
- 550 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for
551 ketamine: \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- 552 (H) Lysergic acid;
- 553 (I) Lysergic acid amide;
- 554 (J) Methyprylon;
- 555 (K) Sulfondiethylmethane;
- 556 (L) Sulfonethylmethane;
- 557 (M) Sulfonmethane; and
- 558 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for
559 a tiletamine-zolazepam combination product: Telazol, some trade or other
560 names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade
561 or other names for zolazepam:
562 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
563 [1,4]-diazepin-7(1H)-one, flupyrazapon.
- 564 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
565 a U.S. Food and Drug Administration approved drug product, some other names
566 for dronabinol:

- 567 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,
568 or (-)-delta-9-(trans)-tetrahydrocannabinol.
- 569 (iv) Nalorphine.
- 570 (v) Unless specifically excepted or unless listed in another schedule, any material,
571 compound, mixture, or preparation containing limited quantities of any of the
572 following narcotic drugs, or their salts calculated as the free anhydrous base or
573 alkaloid:
- 574 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
575 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline
576 alkaloid of opium;
- 577 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
578 milligrams per dosage unit, with one or more active non-narcotic ingredients in
579 recognized therapeutic amounts;
- 580 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
581 more than 15 milligrams per dosage unit, with a fourfold or greater quantity of
582 an isoquinoline alkaloid of opium;
- 583 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
584 more than 15 milligrams per dosage unit, with one or more active, non-narcotic
585 ingredients in recognized therapeutic amounts;
- 586 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more
587 than 90 milligrams per dosage unit, with one or more active non-narcotic
588 ingredients in recognized therapeutic amounts;
- 589 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more
590 than 15 milligrams per dosage unit, with one or more active, non-narcotic
591 ingredients in recognized therapeutic amounts;
- 592 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
593 or not more than 25 milligrams per dosage unit, with one or more active,
594 non-narcotic ingredients in recognized therapeutic amounts; and
- 595 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
596 with one or more active, non-narcotic ingredients in recognized therapeutic
597 amounts.
- 598 (vi) Unless specifically excepted or unless listed in another schedule, anabolic
599 steroids including any of the following or any isomer, ester, salt, or derivative of
600 the following that promotes muscle growth:

- 601 (A) Boldenone;
- 602 (B) Chlorotestosterone (4-chlortestosterone);
- 603 (C) Clostebol;
- 604 (D) Dehydrochlormethyltestosterone;
- 605 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 606 (F) Drostanolone;
- 607 (G) Ethylestrenol;
- 608 (H) Fluoxymesterone;
- 609 (I) Formebolone (formebolone);
- 610 (J) Mesterolone;
- 611 (K) Methandienone;
- 612 (L) Methandranone;
- 613 (M) Methandriol;
- 614 (N) Methandrostenolone;
- 615 (O) Methenolone;
- 616 (P) Methyltestosterone;
- 617 (Q) Mibolerone;
- 618 (R) Nandrolone;
- 619 (S) Norethandrolone;
- 620 (T) Oxandrolone;
- 621 (U) Oxymesterone;
- 622 (V) Oxymetholone;
- 623 (W) Stanolone;
- 624 (X) Stanozolol;
- 625 (Y) Testolactone;
- 626 (Z) Testosterone; and
- 627 (AA) Trenbolone.
- 628 (vii) Anabolic steroids expressly intended for administration through implants to
- 629 cattle or other nonhuman species, and approved by the Secretary of Health and
- 630 Human Services for use, may not be classified as a controlled substance.
- 631 (viii) A drug product or preparation that contains any component of marijuana,
- 632 including tetrahydrocannabinol, and is approved by the United States Food and
- 633 Drug Administration and scheduled by the Drug Enforcement Administration in
- 634 Schedule III of the federal Controlled Substances Act, Title II, P.L. 91-513.

- 635 (ix) Nabiximols.
- 636 (d) Schedule IV:
- 637 (i) Unless specifically excepted or unless listed in another schedule, any material,
- 638 compound, mixture, or preparation containing not more than 1 milligram of
- 639 difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit, or
- 640 any salts of any of them.
- 641 (ii) Unless specifically excepted or unless listed in another schedule, any material,
- 642 compound, mixture, or preparation which contains any quantity of the following
- 643 substances, including its salts, isomers, and salts of isomers when the existence of
- 644 the salts, isomers, and salts of isomers is possible within the specific chemical
- 645 designation:
- 646 (A) Alprazolam;
- 647 (B) Barbitol;
- 648 (C) Bromazepam;
- 649 (D) Butorphanol;
- 650 (E) Camazepam;
- 651 (F) Carisoprodol;
- 652 (G) Chloral betaine;
- 653 (H) Chloral hydrate;
- 654 (I) Chlordiazepoxide;
- 655 (J) Clobazam;
- 656 (K) Clonazepam;
- 657 (L) Clorazepate;
- 658 (M) Clotiazepam;
- 659 (N) Cloxazolam;
- 660 (O) Delorazepam;
- 661 (P) Diazepam;
- 662 (Q) Dichloralphenazone;
- 663 (R) Estazolam;
- 664 (S) Ethchlorvynol;
- 665 (T) Ethinamate;
- 666 (U) Ethyl loflazepate;
- 667 (V) Fludiazepam;
- 668 (W) Flunitrazepam;

- 669 (X) Flurazepam;
670 (Y) Halazepam;
671 (Z) Haloxazolam;
672 (AA) Ketazolam;
673 (BB) Loprazolam;
674 (CC) Lorazepam;
675 (DD) Lormetazepam;
676 (EE) Mebutamate;
677 (FF) Medazepam;
678 (GG) Meprobamate;
679 (HH) Methohexital;
680 (II) Methylphenobarbital (mephobarbital);
681 (JJ) Midazolam;
682 (KK) Nimetazepam;
683 (LL) Nitrazepam;
684 (MM) Nordiazepam;
685 (NN) Oxazepam;
686 (OO) Oxazolam;
687 (PP) Paraldehyde;
688 (QQ) Pentazocine;
689 (RR) Petrichloral;
690 (SS) Phenobarbital;
691 (TT) Pinazepam;
692 (UU) Prazepam;
693 (VV) Quazepam;
694 (WW) Temazepam;
695 (XX) Tetrazepam;
696 (YY) Tramadol;
697 (ZZ) Triazolam;
698 (AAA) Zaleplon; and
699 (BBB) Zolpidem.
- 700 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains
701 any quantity of the following substances, including its salts, isomers whether
702 optical, position, or geometric, and salts of the isomers when the existence of the

- 703 salts, isomers, and salts of isomers is possible.
- 704 (iv) Unless specifically excepted or unless listed in another schedule, any material,
705 compound, mixture, or preparation which contains any quantity of the following
706 substances having a stimulant effect on the central nervous system, including its
707 salts, isomers whether optical, position, or geometric isomers, and salts of the
708 isomers when the existence of the salts, isomers, and salts of isomers is possible
709 within the specific chemical designation:
- 710 (A) Cathine ((+)-norpseudoephedrine);
711 (B) Diethylpropion;
712 (C) Fencamfamine;
713 (D) Fenproporex;
714 (E) Mazindol;
715 (F) Mefenorex;
716 (G) Modafinil;
717 (H) Pemoline, including organometallic complexes and chelates thereof;
718 (I) Phentermine;
719 (J) Pipradrol;
720 (K) Sibutramine; and
721 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).
- 722 (v) Unless specifically excepted or unless listed in another schedule, any material,
723 compound, mixture, or preparation which contains any quantity of
724 dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
725 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.
- 726 (vi) A drug product or preparation that contains any component of marijuana and is
727 approved by the United States Food and Drug Administration and scheduled by
728 the Drug Enforcement Administration in Schedule IV of the federal Controlled
729 Substances Act, Title II, P.L. 91-513.
- 730 (e) Schedule V:
- 731 (i) Any compound, mixture, or preparation containing any of the following limited
732 quantities of narcotic drugs, or their salts calculated as the free anhydrous base or
733 alkaloid, which includes one or more non-narcotic active medicinal ingredients in
734 sufficient proportion to confer upon the compound, mixture, or preparation
735 valuable medicinal qualities other than those possessed by the narcotic drug alone:
736 (A) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

- 737 (B) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
738 grams;
- 739 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
740 grams;
- 741 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25
742 micrograms of atropine sulfate per dosage unit;
- 743 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
- 744 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
745 atropine sulfate per dosage unit; and
- 746 (G) unless specifically exempted or excluded or unless listed in another schedule,
747 any material, compound, mixture, or preparation which contains Pyrovalerone
748 having a stimulant effect on the central nervous system, including its salts,
749 isomers, and salts of isomers.
- 750 (ii) A drug product or preparation that contains any component of marijuana,
751 including cannabidiol, and is approved by the United States Food and Drug
752 Administration and scheduled by the Drug Enforcement Administration in
753 Schedule V of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 754 (iii) Gabapentin.

755 **Section 8. Repealer.**

756 This bill repeals:

757 **Section 4-45-101, Title.**

758 **Section 9. Effective Date.**

759 This bill takes effect on May 6, 2026.