

Michael K. McKell proposes the following substitute bill:

Kratom Adjustments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: Katy Hall

LONG TITLE

General Description:

This bill amends provisions related to kratom.

Highlighted Provisions:

This bill:

- defines terms;
- requires a kratom processor and kratom retailer to register with the Department of Agriculture and Food;
- only allows a retail tobacco specialty business to sell kratom;
- bans the sale of certain kratom products;
- amends provisions related to penalties and fees;
- amends the age for who can purchase a kratom product;
- schedules 7-hydroxymitragynine, including synthetics, if the 7-hydroxymitragynine concentration exceeds a certain percentage as a schedule I controlled substance; and
- schedules Mitragynine pseudoindoxyl, including synthetics.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 4-45-102**, as enacted by Laws of Utah 2019, Chapter 329
- 4-45-103**, as enacted by Laws of Utah 2019, Chapter 329
- 4-45-104**, as enacted by Laws of Utah 2019, Chapter 329
- 4-45-105**, as enacted by Laws of Utah 2019, Chapter 329
- 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

34

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.

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As used in this chapter:

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[(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);

61

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 ~~[(c) 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 Section 4. Section **4-45-105** is amended to read:

132 **4-45-105 . Prohibition on sale to minors -- Criminal penalty.**

- 133 (1) A kratom processor or kratom retailer may not distribute, sell, or offer for sale a kratom
134 product to an individual under [18] 21 years[-of age] old.
135 (2) A kratom processor or kratom retailer who violates this section is guilty of a class [C] A
136 misdemeanor for each violation.

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

138 **4-45-108 . Registration of kratom products -- Department duties.**

- 139 (1) The department shall set a fee to register a kratom product, in accordance with Section
140 4-2-103.
141 (2) The fee described in Subsection (1) may be paid by [~~a producer, manufacturer, or~~
142 ~~distributor of a kratom product~~] any person, but a kratom product may not be registered
143 with the department until the fee is paid.
144 (3) The department shall:
145 (a) set an administrative fine[~~, larger than the fee described in Subsection (1),~~] not to
146 exceed \$5,000 for a person who sells a kratom product that is not registered with the
147 department; and
148 (b) assess the fine described in Subsection (3)(a) against any person who offers an
149 unregistered kratom product for sale in this state.
150 (4) The department may seize and destroy any unregistered kratom product offered for sale
151 in this state.

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

153 **58-37-3.4 . Exemption for 7-hydroxymitragyine in pure leaf kratom.**

- 154 (1) As used in this section, "pure leaf kratom" means the same as that term is defined in
155 Section 4-45-102.
156 (2) Notwithstanding any other provision of this chapter a person who possesses,
157 manufacturers, or distributes pure leaf kratom is not subject to the penalties described in
158 this title for the possession, manufacture, or distribution of 7-hydroxymitragynine to the
159 extent that the person's possession, manufacture, or distribution of the pure leaf kratom
160 complies with Title 4, Chapter 45, Kratom Regulation Act.

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

162 **58-37-4 . Schedules of controlled substances -- Schedules I through V -- Findings**
163 **required -- Specific substances included in schedules.**

- 164 (1) There are established five schedules of controlled substances known as Schedules I, II,

- 165 III, IV, and V which consist of substances listed in this section.
- 166 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by the
167 official name, common or usual name, chemical name, or brand name designated:
- 168 (a) Schedule I:
- 169 (i) Unless specifically excepted or unless listed in another schedule, any of the
170 following opiates, including their isomers, esters, ethers, salts, and salts of
171 isomers, esters, and ethers, when the existence of the isomers, esters, ethers, and
172 salts is possible within the specific chemical designation:
- 173 (A) Acetyl-alpha-methylfentanyl
174 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);
- 175 (B) Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);
- 176 (C) Acetylmethadol;
- 177 (D) Acryl fentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacrylamide);
- 178 (E) Allylprodine;
- 179 (F) Alphacetylmethadol, except levo-alphacetylmethadol also known as
180 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;
- 181 (G) Alphameprodine;
- 182 (H) Alphamethadol;
- 183 (I) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
184 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);
- 185 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
186 piperidinyl]-N-phenylpropanamide);
- 187 (K) Benzylpiperazine;
- 188 (L) Benzethidine;
- 189 (M) Betacetylmethadol;
- 190 (N) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
191 piperidinyl]-N-phenylpropanamide);
- 192 (O) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
193 phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;
- 194 (P) Betameprodine;
- 195 (Q) Betamethadol;
- 196 (R) Betaprodine;
- 197 (S) Butyryl fentanyl (N-(1-(2-phenylethyl)-4-piperidinyl)-N-phenylbutyramide);
- 198 (T) Clonitazene;

- 199 (U) Cyclopropyl fentanyl
200 (N-(1-Phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
- 201 (V) Dextromoramide;
- 202 (W) Diampromide;
- 203 (X) Diethylthiambutene;
- 204 (Y) Difenoxin;
- 205 (Z) Dimenoxadol;
- 206 (AA) Dimepheptanol;
- 207 (BB) Dimethylthiambutene;
- 208 (CC) Dioxaphetyl butyrate;
- 209 (DD) Dipipanone;
- 210 (EE) Ethylmethylthiambutene;
- 211 (FF) Etizolam
212 (1-Methyl-6-o-chlorophenyl-8-ethyl-4H-s-triazolo[3,4-c]thieno[2,3-e]1,4-diazepine);
- 213 (GG) Etonitazene;
- 214 (HH) Etoxidine;
- 215 (II) Furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]
216 furan-2-carboxamide);
- 217 (JJ) Furethidine;
- 218 (KK) Hydroxypethidine;
- 219 (LL) Ketobemidone;
- 220 (MM) Levomoramide;
- 221 (NN) Levophenacetylmorphan;
- 222 (OO) Methoxyacetyl fentanyl
223 (2-Methoxy-N-(1-phenylethylpiperidinyl-4-yl)-N-acetamide);
- 224 (PP) Morpheridine;
- 225 (QQ) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 226 (RR) Noracymethadol;
- 227 (SS) Norlevorphanol;
- 228 (TT) Normethadone;
- 229 (UU) Norpipanone;
- 230 (VV) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]
231 propanamide);
- 232 (WW) Para-fluoroisobutyryl fentanyl

- 233 (N-(4-Fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
234 (XX) PEPAP (1-(-2-phenethyl)-4-phenyl-4-acetoxypiperidine);
235 (YY) Phenadoxone;
236 (ZZ) Phenampromide;
237 (AAA) Phenibut;
238 (BBB) Phenomorphan;
239 (CCC) Phenoperidine;
240 (DDD) Piritramide;
241 (EEE) Proheptazine;
242 (FFF) Properidine;
243 (GGG) Propiram;
244 (HHH) Racemoramide;
245 (III) Tetrahydrofuran fentanyl
246 (N-(1-Phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
247 (JJJ) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;
248 (KKK) Tianeptine;
249 (LLL) Tilidine;
250 (MMM) Trimeperidine;
251 (NNN) 3-methylfentanyl, including the optical and geometric isomers
252 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide);
253 (OOO) 3-methylthiofentanyl
254 (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
255 (PPP) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide also
256 known as U-47700; and
257 (QQQ) 4-cyano CUMYL-BUTINACA.
- 258 (ii) Unless specifically excepted or unless listed in another schedule, any of the
259 following opium derivatives, their salts, isomers, and salts of isomers when the
260 existence of the salts, isomers, and salts of isomers is possible within the specific
261 chemical designation:
262 (A) Acetorphine;
263 (B) Acetyldihydrocodeine;
264 (C) Benzylmorphine;
265 (D) Codeine methylbromide;
266 (E) Codeine-N-Oxide;

- 267 (F) Cyprenorphine;
 268 (G) Desomorphine;
 269 (H) Dihydromorphine;
 270 (I) Drotebanol;
 271 (J) Etorphine (except hydrochloride salt);
 272 (K) Heroin;
 273 (L) Hydromorphenol;
 274 (M) Methyldesorphine;
 275 (N) Methylhydromorphine;
 276 (O) Morphine methylbromide;
 277 (P) Morphine methylsulfonate;
 278 (Q) Morphine-N-Oxide;
 279 (R) Myrophine;
 280 (S) Nicocodeine;
 281 (T) Nicomorphine;
 282 (U) Normorphine;
 283 (V) Pholcodine; and
 284 (W) Thebacon.
- 285 (iii) Unless specifically excepted or unless listed in another schedule, any material,
 286 compound, mixture, or preparation which contains any quantity of the following
 287 hallucinogenic substances, or which contains any of their salts, isomers, and salts
 288 of isomers when the existence of the salts, isomers, and salts of isomers is possible
 289 within the specific chemical designation; as used in this Subsection (2)(a)(iii)
 290 only, "isomer" includes the optical, position, and geometric isomers:
- 291 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase; α
 292 -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
 293 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
 294 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
 295 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:
 296 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
 297 2C-B, Nexus;
 298 (D) 2,5-dimethoxyamphetamine, some trade or other names: 2,5-dimethoxy- α
 299 -methylphenethylamine; 2,5-DMA;
 300 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;

- 301 (F) 4-methoxyamphetamine, some trade or other names: 4-methoxy- α
302 -methylphenethylamine; paramethoxyamphetamine, PMA;
- 303 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
- 304 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
305 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
- 306 (I) 3,4-methylenedioxy amphetamine;
- 307 (J) 3,4-methylenedioxymethamphetamine (MDMA);
- 308 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
309 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE,
310 MDEA;
- 311 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
312 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy
313 MDA;
- 314 (M) 3,4,5-trimethoxy amphetamine;
- 315 (N) Bufotenine, some trade and other names: 3-(β
316 -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
317 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- 318 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
- 319 (P) Dimethyltryptamine, some trade or other names: DMT;
- 320 (Q) Ibogaine, some trade and other names: 7-Ethyl-6,6 β
321 ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2]
322 azepino [5,4-b] indole; Tabernanthe iboga;
- 323 (R) Lysergic acid diethylamide;
- 324 (S) Marijuana;
- 325 (T) Mescaline;
- 326 (U) Parahexyl, some trade or other names:
327 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;
328 Synhexyl;
- 329 (V) Peyote, meaning all parts of the plant presently classified botanically as
330 *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any
331 extract from any part of such plant, and every compound, manufacture, salts,
332 derivative, mixture, or preparation of such plant, its seeds or extracts
333 (Interprets 21 USC 812(c), Schedule I(c) (12));
- 334 (W) N-ethyl-3-piperidyl benzilate;

- 335 (X) N-methyl-3-piperidyl benzilate;
- 336 (Y) Psilocybin;
- 337 (Z) Psilocyn;
- 338 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus Cannabis
339 (cannabis plant), except for marijuana as defined in Subsection
340 58-37-2(1)(aa)(i)(E), as well as synthetic equivalents of the substances
341 contained in the cannabis plant, or in the resinous extractives of Cannabis, sp.
342 and/or synthetic substances, derivatives, and their isomers with similar
343 chemical structure and pharmacological activity to those substances contained
344 in the plant, such as the following: Δ 1 cis or trans tetrahydrocannabinol, and
345 their optical isomers Δ 6 cis or trans tetrahydrocannabinol, and their optical
346 isomers Δ 3,4 cis or trans tetrahydrocannabinol, and its optical isomers, and since
347 nomenclature of these substances is not internationally standardized,
348 compounds of these structures, regardless of numerical designation of atomic
349 positions covered;
- 350 (BB) Ethylamine analog of phencyclidine, some trade or other names:
351 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
352 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;
- 353 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:
354 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 355 (DD) Thiophene analog of phencyclidine, some trade or other names:
356 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine,
357 TPCP, TCP; and
- 358 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.
- 359 (iv) Unless specifically excepted or unless listed in another schedule, any material
360 compound, mixture, or preparation which contains any quantity of the following
361 substances having a depressant effect on the central nervous system, including its
362 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
363 salts of isomers is possible within the specific chemical designation:
- 364 (A) Mecloqualone; and
- 365 (B) Methaqualone.
- 366 (v) Any material, compound, mixture, or preparation containing any quantity of the
367 following substances having a stimulant effect on the central nervous system,
368 including their salts, isomers, and salts of isomers:

- 369 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
370 or 4,5-dihydro-5-phenyl-2-oxazolamine;
- 371 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,
372 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;
- 373 (C) Fenethylamine;
- 374 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
375 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
376 alpha-N-methylaminopropiophenone; monomethylpropion; ephedrone;
377 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432,
378 its salts, optical isomers, and salts of optical isomers;
- 379 (E) (\pm)cis-4-methylaminorex ((\pm)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 380 (F) N-ethylamphetamine; and
- 381 (G) N,N-dimethylamphetamine, also known as
382 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 383 (vi) Any material, compound, mixture, or preparation which contains any quantity of
384 the following substances, including their optical isomers, salts, and salts of
385 isomers, subject to temporary emergency scheduling:
- 386 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and
387 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl).
- 388 (vii) Unless specifically excepted or unless listed in another schedule, any material,
389 compound, mixture, or preparation which contains any quantity of gamma
390 hydroxy butyrate (gamma hydrobutyric acid), including its salts, isomers, and
391 salts of isomers.
- 392 (viii) Unless specifically excepted or unless listed in another schedule, the following
393 substances commonly found in *Mitragyna speciosa*, including synthetic versions,
394 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, when the
395 existence of the isomers, esters, ethers, and salts is possible within the specific
396 chemical designation:
- 397 (A) 7-hydroxymitragynine (methyl
398 (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);
399 and
- 400 (B) Mitragynine pseudoindoxyl (methyl
401

(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).

402 (b) Schedule II:

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

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

410 (I) Raw opium;

411 (II) Opium extracts;

412 (III) Opium fluid;

413 (IV) Powdered opium;

414 (V) Granulated opium;

415 (VI) Tincture of opium;

416 (VII) Codeine;

417 (VIII) Ethylmorphine;

418 (IX) Etorphine hydrochloride;

419 (X) Hydrocodone;

420 (XI) Hydromorphone;

421 (XII) Metopon;

422 (XIII) Morphine;

423 (XIV) Oxycodone;

424 (XV) Oxymorphone; and

425 (XVI) Thebaine;

426 (B) Any salt, compound, derivative, or preparation which is chemically equivalent
427 or identical with any of the substances referred to in Subsection (2)(b)(i)(A),
428 except that these substances may not include the isoquinoline alkaloids of
429 opium;

430 (C) Opium poppy and poppy straw;

431 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves,
432 and any salt, compound, derivative, or preparation which is chemically
433 equivalent or identical with any of these substances, and includes cocaine and

- 434 ecgonine, their salts, isomers, derivatives, and salts of isomers and derivatives,
435 whether derived from the coca plant or synthetically produced, except the
436 substances may not include decocainized coca leaves or extraction of coca
437 leaves, which extractions do not contain cocaine or ecgonine; and
- 438 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in
439 either liquid, solid, or powder form which contains the phenanthrene alkaloids
440 of the opium poppy.
- 441 (ii) Unless specifically excepted or unless listed in another schedule, any of the
442 following opiates, including their isomers, esters, ethers, salts, and salts of
443 isomers, esters, and ethers, when the existence of the isomers, esters, ethers, and
444 salts is possible within the specific chemical designation, except dextrorphan and
445 levopropoxyphene:
- 446 (A) Alfentanil;
447 (B) Alphaprodine;
448 (C) Anileridine;
449 (D) Bezitramide;
450 (E) Bulk dextropropoxyphene (nondosage forms);
451 (F) Carfentanil;
452 (G) Dihydrocodeine;
453 (H) Diphenoxylate;
454 (I) Fentanyl;
455 (J) Isomethadone;
456 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,
457 levomethadyl acetate, or LAAM;
458 (L) Levomethorphan;
459 (M) Levorphanol;
460 (N) Metazocine;
461 (O) Methadone;
462 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
463 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
464 1-diphenylpropane-carboxylic acid;
465 (R) Pethidine (meperidine);
466 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
467 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

- 468 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
469 (V) Phenazocine;
470 (W) Piminodine;
471 (X) Racemethorphan;
472 (Y) Racemorphan;
473 (Z) Remifentanil; and
474 (AA) Sufentanil.
- 475 (iii) Unless specifically excepted or unless listed in another schedule, any material,
476 compound, mixture, or preparation which contains any quantity of the following
477 substances having a stimulant effect on the central nervous system:
478 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
479 (B) Methamphetamine, its salts, isomers, and salts of its isomers;
480 (C) Phenmetrazine and its salts; and
481 (D) Methylphenidate.
- 482 (iv) Unless specifically excepted or unless listed in another schedule, any material,
483 compound, mixture, or preparation which contains any quantity of the following
484 substances having a depressant effect on the central nervous system, including its
485 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
486 salts of isomers is possible within the specific chemical designation:
487 (A) Amobarbital;
488 (B) Glutethimide;
489 (C) Pentobarbital;
490 (D) Phencyclidine;
491 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
492 1-piperidinocyclohexanecarbonitrile (PCC); and
493 (F) Secobarbital.
- 494 (v)(A) Unless specifically excepted or unless listed in another schedule, any
495 material, compound, mixture, or preparation which contains any quantity of
496 Phenylacetone.
497 (B) Some of these substances may be known by trade or other names:
498 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone.
- 499 (vi) Nabilone, another name for nabilone: (\pm
500 \pm -trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,
501 6-dimethyl-9H-dibenzo[b,d]pyran-9-one.

- 502 (vii) A drug product or preparation that contains any component of marijuana,
503 including tetrahydrocannabinol, and is approved by the United States Food and
504 Drug Administration and scheduled by the Drug Enforcement Administration in
505 Schedule II of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 506 (c) Schedule III:
- 507 (i) Unless specifically excepted or unless listed in another schedule, any material,
508 compound, mixture, or preparation which contains any quantity of the following
509 substances having a stimulant effect on the central nervous system, including its
510 salts, isomers whether optical, position, or geometric, and salts of the isomers
511 when the existence of the salts, isomers, and salts of isomers is possible within the
512 specific chemical designation:
- 513 (A) Those compounds, mixtures, or preparations in dosage unit form containing
514 any stimulant substances listed in Schedule II, which compounds, mixtures, or
515 preparations were listed on August 25, 1971, as excepted compounds under
516 Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other
517 drug of the quantitative composition shown in that list for those drugs or which
518 is the same except that it contains a lesser quantity of controlled substances;
- 519 (B) Benzphetamine;
- 520 (C) Chlorphentermine;
- 521 (D) Clortermine; and
- 522 (E) Phendimetrazine.
- 523 (ii) Unless specifically excepted or unless listed in another schedule, any material,
524 compound, mixture, or preparation which contains any quantity of the following
525 substances having a depressant effect on the central nervous system:
- 526 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
527 pentobarbital, or any salt of any of them, and one or more other active
528 medicinal ingredients which are not listed in any schedule;
- 529 (B) Any suppository dosage form containing amobarbital, secobarbital, or
530 pentobarbital, or any salt of any of these drugs which is approved by the United
531 States Food and Drug Administration for marketing only as a suppository;
- 532 (C) Any substance which contains any quantity of a derivative of barbituric acid
533 or any salt of any of them;
- 534 (D) Chlorhexadol;
- 535 (E) Buprenorphine;

- 536 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
537 isomers, and salts of isomers, for which an application is approved under the
538 federal Food, Drug, and Cosmetic Act, Section 505;
- 539 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for
540 ketamine: \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- 541 (H) Lysergic acid;
- 542 (I) Lysergic acid amide;
- 543 (J) Methyprylon;
- 544 (K) Sulfondiethylmethane;
- 545 (L) Sulfonethylmethane;
- 546 (M) Sulfonmethane; and
- 547 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for
548 a tiletamine-zolazepam combination product: Telazol, some trade or other
549 names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade
550 or other names for zolazepam:
551 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
552 [1,4]-diazepin-7(1H)-one, flupyrazapon.
- 553 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
554 a U.S. Food and Drug Administration approved drug product, some other names
555 for dronabinol:
556 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,
557 or (-)-delta-9-(trans)-tetrahydrocannabinol.
- 558 (iv) Nalorphine.
- 559 (v) Unless specifically excepted or unless listed in another schedule, any material,
560 compound, mixture, or preparation containing limited quantities of any of the
561 following narcotic drugs, or their salts calculated as the free anhydrous base or
562 alkaloid:
- 563 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
564 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline
565 alkaloid of opium;
- 566 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
567 milligrams per dosage unit, with one or more active non-narcotic ingredients in
568 recognized therapeutic amounts;
- 569 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not

- 570 more than 15 milligrams per dosage unit, with a fourfold or greater quantity of
571 an isoquinoline alkaloid of opium;
- 572 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
573 more than 15 milligrams per dosage unit, with one or more active, non-narcotic
574 ingredients in recognized therapeutic amounts;
- 575 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more
576 than 90 milligrams per dosage unit, with one or more active non-narcotic
577 ingredients in recognized therapeutic amounts;
- 578 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more
579 than 15 milligrams per dosage unit, with one or more active, non-narcotic
580 ingredients in recognized therapeutic amounts;
- 581 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
582 or not more than 25 milligrams per dosage unit, with one or more active,
583 non-narcotic ingredients in recognized therapeutic amounts; and
- 584 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
585 with one or more active, non-narcotic ingredients in recognized therapeutic
586 amounts.
- 587 (vi) Unless specifically excepted or unless listed in another schedule, anabolic
588 steroids including any of the following or any isomer, ester, salt, or derivative of
589 the following that promotes muscle growth:
- 590 (A) Boldenone;
- 591 (B) Chlorotestosterone (4-chlortestosterone);
- 592 (C) Clostebol;
- 593 (D) Dehydrochlormethyltestosterone;
- 594 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 595 (F) Drostanolone;
- 596 (G) Ethylestrenol;
- 597 (H) Fluoxymesterone;
- 598 (I) Formebolone (formebolone);
- 599 (J) Mesterolone;
- 600 (K) Methandienone;
- 601 (L) Methandranone;
- 602 (M) Methandriol;
- 603 (N) Methandrostenolone;

- 604 (O) Methenolone;
605 (P) Methyltestosterone;
606 (Q) Mibolerone;
607 (R) Nandrolone;
608 (S) Norethandrolone;
609 (T) Oxandrolone;
610 (U) Oxymesterone;
611 (V) Oxymetholone;
612 (W) Stanolone;
613 (X) Stanozolol;
614 (Y) Testolactone;
615 (Z) Testosterone; and
616 (AA) Trenbolone.
- 617 (vii) Anabolic steroids expressly intended for administration through implants to
618 cattle or other nonhuman species, and approved by the Secretary of Health and
619 Human Services for use, may not be classified as a controlled substance.
- 620 (viii) A drug product or preparation that contains any component of marijuana,
621 including tetrahydrocannabinol, and is approved by the United States Food and
622 Drug Administration and scheduled by the Drug Enforcement Administration in
623 Schedule III of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 624 (ix) Nabiximols.
- 625 (d) Schedule IV:
- 626 (i) Unless specifically excepted or unless listed in another schedule, any material,
627 compound, mixture, or preparation containing not more than 1 milligram of
628 difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit, or
629 any salts of any of them.
- 630 (ii) Unless specifically excepted or unless listed in another schedule, any material,
631 compound, mixture, or preparation which contains any quantity of the following
632 substances, including its salts, isomers, and salts of isomers when the existence of
633 the salts, isomers, and salts of isomers is possible within the specific chemical
634 designation:
- 635 (A) Alprazolam;
636 (B) Barbital;
637 (C) Bromazepam;

- 638 (D) Butorphanol;
- 639 (E) Camazepam;
- 640 (F) Carisoprodol;
- 641 (G) Chloral betaine;
- 642 (H) Chloral hydrate;
- 643 (I) Chlordiazepoxide;
- 644 (J) Clobazam;
- 645 (K) Clonazepam;
- 646 (L) Clorazepate;
- 647 (M) Clotiazepam;
- 648 (N) Cloxazolam;
- 649 (O) Delorazepam;
- 650 (P) Diazepam;
- 651 (Q) Dichloralphenazone;
- 652 (R) Estazolam;
- 653 (S) Ethchlorvynol;
- 654 (T) Ethinamate;
- 655 (U) Ethyl loflazepate;
- 656 (V) Fludiazepam;
- 657 (W) Flunitrazepam;
- 658 (X) Flurazepam;
- 659 (Y) Halazepam;
- 660 (Z) Haloxazolam;
- 661 (AA) Ketazolam;
- 662 (BB) Loprazolam;
- 663 (CC) Lorazepam;
- 664 (DD) Lormetazepam;
- 665 (EE) Mebutamate;
- 666 (FF) Medazepam;
- 667 (GG) Meprobamate;
- 668 (HH) Methohexital;
- 669 (II) Methylphenobarbital (mephobarbital);
- 670 (JJ) Midazolam;
- 671 (KK) Nimetazepam;

- 672 (LL) Nitrazepam;
673 (MM) Nordiazepam;
674 (NN) Oxazepam;
675 (OO) Oxazolam;
676 (PP) Paraldehyde;
677 (QQ) Pentazocine;
678 (RR) Petrichloral;
679 (SS) Phenobarbital;
680 (TT) Pinazepam;
681 (UU) Prazepam;
682 (VV) Quazepam;
683 (WW) Temazepam;
684 (XX) Tetrazepam;
685 (YY) Tramadol;
686 (ZZ) Triazolam;
687 (AAA) Zaleplon; and
688 (BBB) Zolpidem.
- 689 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains
690 any quantity of the following substances, including its salts, isomers whether
691 optical, position, or geometric, and salts of the isomers when the existence of the
692 salts, isomers, and salts of isomers is possible.
- 693 (iv) Unless specifically excepted or unless listed in another schedule, any material,
694 compound, mixture, or preparation which contains any quantity of the following
695 substances having a stimulant effect on the central nervous system, including its
696 salts, isomers whether optical, position, or geometric isomers, and salts of the
697 isomers when the existence of the salts, isomers, and salts of isomers is possible
698 within the specific chemical designation:
- 699 (A) Cathine ((+)-norpseudoephedrine);
700 (B) Diethylpropion;
701 (C) Fencamfamine;
702 (D) Fenproporex;
703 (E) Mazindol;
704 (F) Mefenorex;
705 (G) Modafinil;

- 706 (H) Pemoline, including organometallic complexes and chelates thereof;
- 707 (I) Phentermine;
- 708 (J) Pipradrol;
- 709 (K) Sibutramine; and
- 710 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).
- 711 (v) Unless specifically excepted or unless listed in another schedule, any material,
- 712 compound, mixture, or preparation which contains any quantity of
- 713 dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
- 714 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.
- 715 (vi) A drug product or preparation that contains any component of marijuana and is
- 716 approved by the United States Food and Drug Administration and scheduled by
- 717 the Drug Enforcement Administration in Schedule IV of the federal Controlled
- 718 Substances Act, Title II, P.L. 91-513.
- 719 (e) Schedule V:
- 720 (i) Any compound, mixture, or preparation containing any of the following limited
- 721 quantities of narcotic drugs, or their salts calculated as the free anhydrous base or
- 722 alkaloid, which includes one or more non-narcotic active medicinal ingredients in
- 723 sufficient proportion to confer upon the compound, mixture, or preparation
- 724 valuable medicinal qualities other than those possessed by the narcotic drug alone:
- 725 (A) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
- 726 (B) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
- 727 grams;
- 728 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
- 729 grams;
- 730 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25
- 731 micrograms of atropine sulfate per dosage unit;
- 732 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
- 733 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
- 734 atropine sulfate per dosage unit; and
- 735 (G) unless specifically exempted or excluded or unless listed in another schedule,
- 736 any material, compound, mixture, or preparation which contains Pyrovalerone
- 737 having a stimulant effect on the central nervous system, including its salts,
- 738 isomers, and salts of isomers.
- 739 (ii) A drug product or preparation that contains any component of marijuana,

740 including cannabidiol, and is approved by the United States Food and Drug
741 Administration and scheduled by the Drug Enforcement Administration in
742 Schedule V of the federal Controlled Substances Act, Title II, P.L. 91-513.

743 (iii) Gabapentin.

744 Section 8. **Repealer.**

745 This bill repeals:

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

747 Section 9. **Effective Date.**

748 This bill takes effect on May 6, 2026.