

Katy Hall 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; and
- includes a coordination clause with H.B. 387, Kratom Modifications, directing the Legislature to not enroll H.B. 387.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a coordination clause.

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

29 **4-45-105**, as enacted by Laws of Utah 2019, Chapter 329
 30 **4-45-108**, as enacted by Laws of Utah 2019, Chapter 329
 31 **58-37-4**, as last amended by Laws of Utah 2025, Chapter 216

32 ENACTS:

33 **58-37-3.4**, Utah Code Annotated 1953

34 REPEALS:

35 **4-45-101**, as enacted by Laws of Utah 2019, Chapter 329

36

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

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

39 **CHAPTER 45. Kratom Regulation Act**

40 **4-45-102 . Definitions.**

41 As used in this chapter:

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

43 [(2) "Department" means the Department of Agriculture and Food created in Section
 44 ~~4-2-102.~~]

45 [(3) "Food" means:]

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

48 [(b) ~~chewing gum or chewing gum components; or~~]

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

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

53 [(4)] (2) "Kratom processor" means a person who[~~±~~]

54 [(a) ~~sells, prepares, or maintains~~] prepares, processes, manufactures, or distributes a
 55 kratom product[~~±~~ or] .

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

58 [(5)] (3) "Kratom product" [mean food] means a product containing any part of a leaf of the
 59 plant *Mitragyna speciosa*.

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

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

62 (a) is identifiable as plant matter or is identifiable plant matter contained in an

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

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

76 **4-45-103 . Factual basis for claim as kratom product required -- Administrative**
 77 **penalty -- Request for hearing.**

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

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

89 **4-45-104 . Kratom processor and kratom retailer requirements -- Criminal**
 90 **penalty.**

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

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

131 kratom product for sale in this state if the person is not registered as a kratom
 132 processor or kratom retailer.

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

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

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

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

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

141 **4-45-105 . Prohibition on sale to minors -- Criminal penalty.**

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

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

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

147 **4-45-108 . Registration of kratom products -- Department duties.**

148 (1) The department shall set a fee to register a kratom product, in accordance with Section
 149 4-2-103.

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

153 (3) The department shall:

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

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

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

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

162 **58-37-3.4 . Exemption for 7-hydroxymitragynine in pure leaf kratom.**

163 (1) As used in this section, "pure leaf kratom" means the same as that term is defined in
 164 Section 4-45-102.

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

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

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

175 **58-37-4 . Schedules of controlled substances -- Schedules I through V -- Findings**
 176 **required -- Specific substances included in schedules.**

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

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

181 (a) Schedule I:

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

186 (A) Acetyl-alpha-methylfentanyl

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

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

189 (C) Acetylmethadol;

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

191 (E) Allylprodine;

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

194 (G) Alphameprodine;

195 (H) Alphamethadol;

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

198 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-

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

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

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

- 301 of isomers when the existence of the salts, isomers, and salts of isomers is possible
302 within the specific chemical designation; as used in this Subsection (2)(a)(iii)
303 only, "isomer" includes the optical, position, and geometric isomers:
- 304 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase; α
305 -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
 - 306 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
307 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
 - 308 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:
309 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
310 2C-B, Nexus;
 - 311 (D) 2,5-dimethoxyamphetamine, some trade or other names: 2,5-dimethoxy- α
312 -methylphenethylamine; 2,5-DMA;
 - 313 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
 - 314 (F) 4-methoxyamphetamine, some trade or other names: 4-methoxy- α
315 -methylphenethylamine; paramethoxyamphetamine, PMA;
 - 316 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
 - 317 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
318 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
 - 319 (I) 3,4-methylenedioxy amphetamine;
 - 320 (J) 3,4-methylenedioxymethamphetamine (MDMA);
 - 321 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
322 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE,
323 MDEA;
 - 324 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
325 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy
326 MDA;
 - 327 (M) 3,4,5-trimethoxy amphetamine;
 - 328 (N) Bufotenine, some trade and other names: 3-(β
329 -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
330 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
 - 331 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
 - 332 (P) Dimethyltryptamine, some trade or other names: DMT;
 - 333 (Q) Ibogaine, some trade and other names: 7-Ethyl-6,6 β

- 334 ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2]
335 azepino [5,4-b] indole; Tabernanthe iboga;
- 336 (R) Lysergic acid diethylamide;
- 337 (S) Marijuana;
- 338 (T) Mescaline;
- 339 (U) Parahexyl, some trade or other names:
340 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;
341 Synhexyl;
- 342 (V) Peyote, meaning all parts of the plant presently classified botanically as
343 *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any
344 extract from any part of such plant, and every compound, manufacture, salts,
345 derivative, mixture, or preparation of such plant, its seeds or extracts
346 (Interprets 21 USC 812(c), Schedule I(c) (12));
- 347 (W) N-ethyl-3-piperidyl benzilate;
- 348 (X) N-methyl-3-piperidyl benzilate;
- 349 (Y) Psilocybin;
- 350 (Z) Psilocyn;
- 351 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus *Cannabis*
352 (*cannabis* plant), except for marijuana as defined in Subsection
353 58-37-2(1)(aa)(i)(E), as well as synthetic equivalents of the substances
354 contained in the *cannabis* plant, or in the resinous extractives of *Cannabis*, sp.
355 and/or synthetic substances, derivatives, and their isomers with similar
356 chemical structure and pharmacological activity to those substances contained
357 in the plant, such as the following: Δ^1 cis or trans tetrahydrocannabinol, and
358 their optical isomers Δ^6 cis or trans tetrahydrocannabinol, and their optical
359 isomers $\Delta^3,4$ cis or trans tetrahydrocannabinol, and its optical isomers, and since
360 nomenclature of these substances is not internationally standardized,
361 compounds of these structures, regardless of numerical designation of atomic
362 positions covered;
- 363 (BB) Ethylamine analog of phencyclidine, some trade or other names:
364 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
365 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;
- 366 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:
367 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;

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

402 compound, mixture, or preparation which contains any quantity of gamma
403 hydroxy butyrate (gamma hydrobutyric acid), including its salts, isomers, and
404 salts of isomers.

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

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

412 and

413 (B) Mitragynine pseudoindoxyl (methyl
414 (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-
415 hexahydro-2H-indolizine]-7'-yl]-3-methoxyprop-2-enoate).

415 (b) Schedule II:

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

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

423 (I) Raw opium;

424 (II) Opium extracts;

425 (III) Opium fluid;

426 (IV) Powdered opium;

427 (V) Granulated opium;

428 (VI) Tincture of opium;

429 (VII) Codeine;

430 (VIII) Ethylmorphine;

431 (IX) Etorphine hydrochloride;

432 (X) Hydrocodone;

433 (XI) Hydromorphone;

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

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

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

- 536 (ii) Unless specifically excepted or unless listed in another schedule, any material,
537 compound, mixture, or preparation which contains any quantity of the following
538 substances having a depressant effect on the central nervous system:
- 539 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
540 pentobarbital, or any salt of any of them, and one or more other active
541 medicinal ingredients which are not listed in any schedule;
- 542 (B) Any suppository dosage form containing amobarbital, secobarbital, or
543 pentobarbital, or any salt of any of these drugs which is approved by the United
544 States Food and Drug Administration for marketing only as a suppository;
- 545 (C) Any substance which contains any quantity of a derivative of barbituric acid
546 or any salt of any of them;
- 547 (D) Chlorhexadol;
- 548 (E) Buprenorphine;
- 549 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
550 isomers, and salts of isomers, for which an application is approved under the
551 federal Food, Drug, and Cosmetic Act, Section 505;
- 552 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for
553 ketamine: \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- 554 (H) Lysergic acid;
- 555 (I) Lysergic acid amide;
- 556 (J) Methyprylon;
- 557 (K) Sulfondiethylmethane;
- 558 (L) Sulfonethylmethane;
- 559 (M) Sulfonmethane; and
- 560 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for
561 a tiletamine-zolazepam combination product: Telazol, some trade or other
562 names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade
563 or other names for zolazepam:
564 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
565 [1,4]-diazepin-7(1H)-one, flupyrazapon.
- 566 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
567 a U.S. Food and Drug Administration approved drug product, some other names
568 for dronabinol:
569 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,

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

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

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

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

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

- 740 grams;
- 741 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
- 742 grams;
- 743 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25
- 744 micrograms of atropine sulfate per dosage unit;
- 745 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
- 746 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
- 747 atropine sulfate per dosage unit; and
- 748 (G) unless specifically exempted or excluded or unless listed in another schedule,
- 749 any material, compound, mixture, or preparation which contains Pyrovalerone
- 750 having a stimulant effect on the central nervous system, including its salts,
- 751 isomers, and salts of isomers.

752 (ii) A drug product or preparation that contains any component of marijuana,

753 including cannabidiol, and is approved by the United States Food and Drug

754 Administration and scheduled by the Drug Enforcement Administration in

755 Schedule V of the federal Controlled Substances Act, Title II, P.L. 91-513.

756 (iii) Gabapentin.

757 Section 8. **Repealer.**

758 This bill repeals:

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

760 Section 9. **Effective Date.**

761 This bill takes effect on May 6, 2026.

762 Section 10. **Coordinating S.B. 45 with H.B. 387.**

763 If S.B. 45, Kratom Adjustments, and H.B. 387, Kratom Modifications, both pass, the

764 Legislature intends that H.B. 387 not be enrolled and not become law.