

By: Representative Yancey

To: Drug Policy

HOUSE BILL NO. 1594

1 AN ACT TO PROHIBIT PERSONS UNDER THE AGE OF TWENTY-ONE YEARS
 2 FROM ENTERING THE PREMISES OF A RETAILER THAT SELLS, STORES, OR
 3 MAINTAINS KRATOM PRODUCTS; TO PROHIBIT PERSONS UNDER THE AGE OF
 4 TWENTY-ONE YEARS FROM PURCHASING, RECEIVING, OR HAVING IN HIS OR
 5 HER POSSESSION ANY KRATOM PRODUCTS; TO PROHIBIT RETAILERS FROM
 6 SELLING ANY KRATOM PRODUCTS TO ANY PERSON UNDER THE AGE OF
 7 TWENTY-ONE YEARS; TO REQUIRE RETAILERS THAT SELL, STORE, OR
 8 MAINTAIN KRATOM PRODUCTS TO POST A SIGN IN A CONSPICUOUS PLACE AT
 9 OR NEAR EACH ENTRANCE STATING THAT ONLY PERSONS TWENTY-ONE YEARS
 10 OF AGE OR OLDER ARE PERMITTED TO ENTER THE PREMISES; TO DEFINE
 11 CERTAIN TERMS RELATING TO THIS ACT; TO PROVIDE PENALTIES FOR A
 12 VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

14 **SECTION 1.** As used in this act, the following terms have the
 15 meanings as defined in this section, unless the context clearly
 16 indicates otherwise:

17 (a) "Kratom product" means a product containing any part of
 18 the leaf of the plant *Mitragyna Speciosa*, or an extract of it
 19 processed as a powder, capsule, pill, beverage, or any other
 20 edible or consumable form, or any product containing Mitragynine
 21 or 7-hydroxymitragynine.

22 (b) "Retailer" means any individual, partnership,
 23 corporation, cooperative association, or other business entity



24 that sells, advertises, represents, or holds itself out as
25 selling, kratom products to consumers at retail, or stores or
26 maintains kratom products.

27 **SECTION 2.** (1) (a) No person under the age of twenty-one
28 (21) years shall be permitted to enter the premises of a retailer
29 that sells, stores, or maintains kratom products.

30 (b) No person under the age of twenty-one (21) years
31 shall purchase, receive, or have in his or her possession in any
32 public place, any kratom product.

33 (2) (a) No retailer, nor any owner, operator, employee,
34 representative, or agent of such retailer, shall sell, furnish,
35 dispose of, give, or cause to be sold, furnished, disposed of, or
36 given, any kratom product to any person under the age of
37 twenty-one (21) years.

38 (b) Retailers that sell, store, or maintain kratom
39 products shall post a sign in a conspicuous place at or near each
40 entrance stating that only persons twenty-one (21) years of age or
41 older are permitted to enter the premises.

42 **SECTION 3.** (1) (a) Any person under the age of twenty-one
43 (21) years who falsely states he or she is twenty-one (21) years
44 of age or older, or presents any document that indicates he or she
45 is twenty-one (21) years of age or older, for the purpose of
46 entering the premises of a retailer that sells, stores, or
47 maintains kratom products shall be guilty of a misdemeanor, and
48 shall be punished by a fine of not less than Two Hundred Dollars



49 (\$200.00), nor more than Five Hundred Dollars (\$500.00), and a
50 sentence to not more than thirty (30) days' community service.

51 (b) Any person under the age of twenty-one (21) years
52 who purchases, receives, or has in his or her possession in any
53 public place, any kratom product, shall be guilty of a misdemeanor
54 and shall be punished by a fine of not less than Two Hundred
55 Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00).

56 (2) (a) Any owner, operator, employee, representative, or
57 agent of a retailer that sells, stores, or maintains kratom
58 products, who violates, or permits the violation of, Section 2
59 (1)(a) of this act, upon conviction, shall be punished by a fine
60 of not more than One Thousand Dollars (\$1,000.00), or imprisoned
61 in the county jail not more than six (6) months, or by both such
62 fine and imprisonment.

63 (b) Any owner, operator, employee, representative, or
64 agent of a retailer that sells, stores, or maintains kratom
65 products, who shall sell, furnish, dispose of, give, or cause to
66 be sold, furnished, disposed of, or given, any kratom product to
67 any person under the age of twenty-one (21) years, upon
68 conviction, shall be punished by a fine of not more than One
69 Thousand Dollars (\$1,000.00), or imprisoned in the county jail not
70 more than six (6) months, or by both such fine and imprisonment.

71 **SECTION 4.** This act shall take effect and be in force from
72 and after July 1, 2024.

