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DIGEST

SB 154 Engrossed 2025 Regular Session Morris

Present law (Uniform Controlled Dangerous Substances Law) designates certain substances in Schedules I through V based upon the substances' potential for addiction and abuse.

Proposed law defines "kratom" and adds the active chemical components of kratom to Schedule I. Proposed law otherwise retains present law.

Present law makes it a crime to distribute products containing substances derived from the *Mitragyna speciosa* tree (kratom) to a person under the age of 18 years.

Proposed law repeals present law and makes it a crime to distribute kratom to a person of any age. Proposed law also provides that it is unlawful to possess, cultivate or otherwise produce or sell kratom.

Proposed law provides that a person who knowingly produces, manufactures, distributes, or dispenses, or possesses with the intent to produce, manufacture, distribute, or dispense kratom will be:

- (1) Fined not more than \$50,000, imprisoned, with or without hard labor, for not less than one year nor more than three years, or both for an aggregate weight of less than 500 grams.
- (2) Fined not more than \$50,000, imprisoned, with or without hard labor, for not less than one year nor more than five years, or both for an aggregate weight of 500 grams or more.

Proposed law provides that a person who knowingly and unlawfully possesses kratom will be:

- (1) Fined not more than \$100 for possessing 20 grams or less.
- (2) Fined not more than \$500, imprisoned in the parish jail for not more than six months, or both for possessing more than 20 grams for a first conviction.
- (3) Fined not more than \$1,000, imprisoned in the parish jail for not more than six months, or both for possessing more than 20 grams for a second or subsequent conviction.

Present law criminalizes the unlawful production, manufacture, distribution, or possession of products derived from certain prohibited plants.

Proposed law retains present law and adds the *Mitragyna speciosa* tree to the present law list of prohibited non-hallucinogenic plants.

Effective August 1, 2025.

(Amends R.S. 40:964(Schedule I)(G); adds 40:966.1 and 989.2(C)(5)(m); repeals R.S. 40:989.3)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Provide definitions and add the active chemical components of kratom to Schedule I miscellaneous substances.
2. Add penalties for producing, manufacturing, distributing, or dispensing, or possessing with the intent to produce, manufacture, distribute, or dispense kratom.
3. Add penalties for possessing kratom in certain amounts.
4. Delete proposed law adding the *Mitragyna speciosa* tree to Schedule I stimulants.
5. Add the *Mitragyna speciosa* tree to the present law list of prohibited non-hallucinogenic plants.