

## HOUSE AMENDMENTS TO HOUSE BILL 4013

By COMMITTEE ON ECONOMIC DEVELOPMENT

February 14

1 On page 1 of the printed bill, line 2, delete “prescribing an effective date” and insert “declaring  
2 an emergency”.

3 Delete lines 4 through 27 and delete page 2 and insert:

4 **“SECTION 1. (1) The Oregon Health Authority, Oregon Liquor Control Commission, State  
5 Department of Agriculture and office of the Governor shall collaborate with representatives  
6 of the kratom industry to develop a plan to address the administrative burden and cost of  
7 regulation of kratom in this state. At a minimum, the plan must:**

8 **“(a) Recommend the appropriate regulatory authority over kratom;**

9 **“(b) Detail consolidation of administrative functions related to the regulation of kratom;**

10 **“(c) Determine methods to reduce administrative costs while ensuring the necessary  
11 funding for the continued maintenance and operation of any systems and programs related  
12 to kratom;**

13 **“(d) Establish a state kratom reference laboratory;**

14 **“(e) Support social equity as related to kratom; and**

15 **“(f) Detail changes to state law that would be necessary if the plan is implemented.**

16 **“(2) The authority, commission, department and office shall submit the plan to the in-  
17 terim committees of the Legislative Assembly related to economic development and kratom  
18 not later than December 31, 2020.**

19 **“SECTION 2. As used in this section and sections 3 and 4 of this 2020 Act:**

20 **“(1) ‘Food’ means:**

21 **“(a) An item used for food or drink for human or animal consumption or the components  
22 of the item;**

23 **“(b) Chewing gum or chewing gum components; or**

24 **“(c) A food supplement for special dietary use that is necessitated because of a physical,  
25 physiological, pathological or other condition.**

26 **“(2) ‘Kratom processor’ means a person that:**

27 **“(a) Sells, prepares, processes, manufactures, distributes or maintains a kratom product;  
28 or**

29 **“(b) Advertises, represents or holds out as being a person that sells, prepares, processes,  
30 manufactures, distributes or maintains a kratom product.**

31 **“(3) ‘Kratom product’ means a food containing any part of the leaf of the plant *Mitragyna  
32 speciosa*.**

33 **“SECTION 3. Notwithstanding ORS 659A.403, a kratom processor may not distribute, sell  
34 or offer for sale a kratom product to an individual under 21 years of age.**

35 **“SECTION 4. A kratom processor that violates section 3 of this 2020 Act is guilty of a**

1 **Class C misdemeanor for each violation.**

2 **“SECTION 5. Section 1 of this 2020 Act is repealed on January 2, 2021.**

3 **“SECTION 6. This 2020 Act being necessary for the immediate preservation of the public**  
4 **peace, health and safety, an emergency is declared to exist, and this 2020 Act takes effect**  
5 **on its passage.”.**

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