

Requested by Representative POST

**PROPOSED AMENDMENTS TO
HOUSE BILL 4013**

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

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

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

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

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

12 **“(c) Determine methods to reduce administrative costs while en-
13 suring the necessary funding for the continued maintenance and op-
14 eration of any systems and programs related to kratom;**

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

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

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

19 **“(2) The authority, commission, department and office shall submit
20 the plan to the interim committees of the Legislative Assembly related
21 to economic development and kratom not later than December 31,**

1 2020.

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

4 **“(1) ‘Food’ means:**

5 **“(a) An item used for food or drink for human or animal con-**
6 **sumption or the components of the item;**

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

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

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

11 **“(a) Sells, prepares, processes, manufactures, distributes or main-**
12 **tains a kratom product; or**

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

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

18 **“SECTION 3. Notwithstanding ORS 659A.403, a kratom processor**
19 **may not distribute, sell or offer for sale a kratom product to an indi-**
20 **vidual under 21 years of age.**

21 **“SECTION 4. A kratom processor that violates section 3 of this 2020**
22 **Act is guilty of a Class C misdemeanor for each violation.**

23 **“SECTION 5. Section 1 of this 2020 Act is repealed on January 2,**
24 **2021.**

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

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