

SENATE No. 1558

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act banning the sale of kratom.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/12/2025</i>
<i>John R. Gaskey</i>	<i>2nd Plymouth</i>	<i>9/11/2025</i>

SENATE No. 1558

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 1558) of Edward J. Kennedy and Colleen M. Garry for legislation to ban the selling of a herbal substance that can produce opioid- and stimulant-like effects. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act banning the sale of kratom.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 270 of the General Laws is hereby amended by adding the
2 following section:-

3 Section 30. (a) For the purposes of this section, the following words shall, unless the
4 context clearly requires otherwise, have the following meanings:

5 "Food", a food, food product, food ingredient, dietary ingredient, dietary supplement or
6 beverage for human consumption.

7 "Kratom extract", a food product or dietary ingredient containing any part of the leaf of
8 the plant *Mitragyna speciosa* that has been extracted or concentrated in order to provide more
9 standardized product content.

10 "Kratom product", a food product or dietary ingredient containing any part of the leaf of
11 the plant *Mitragyna speciosa* or an extract of it that is manufactured as a powder, capsule, tablet,
12 beverage or other edible form.

13 "Processor", a person that sells, prepares, manufactures, distributes or maintains kratom
14 products, or advertises, represents, or holds itself out as selling, preparing or maintaining kratom
15 products.

16 "Retailer", a person that sells, distributes, advertises, represents, or holds itself out as
17 selling or maintaining kratom products.

18 (b) A processor shall not prepare, distribute, sell or expose for sale any Kratom product
19 or any food containing kratom extract.

20 (c) (1) A person who violates subsection (b) shall subject to an administrative fine of not
21 more than \$500 for the first offense and not more than \$1,000 for subsequent offenses. Upon the
22 request of a person to whom an administrative fine is issued, the department shall conduct a
23 hearing in accordance with chapter 30A.

24 SECTION 2. This act shall take effect 180 days following its passage.