

Amendment to SB 557-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT making it illegal for liquor commission licensees to sell, distribute, furnish, offer for
4 sale, advertise, manufacture, possess, or allow the ingestion, inhalation, smoking, or
5 vaping of certain kratom products.
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7 Amend the bill by replacing all after the enacting clause with the following:

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9 1 New Paragraph; Alcoholic Beverages; Definitions and General Provisions; Definitions. Amend
10 RSA 175:1 by inserting after paragraph LXIV-g the following new paragraph:

11 LXIV-h. "Unauthorized Kratom Products" means any consumable kratom product,
12 including, but not limited to, edibles, liquids, powders, capsules, tablets, extracts, inhalants, or vapor
13 products that fall into one or more of the following categories:

14 (a) An alkaloid or alkaloid derivative contained in a kratom leaf extract that has been
15 exposed to chemicals or processes that confer a structural change in the alkaloids, including, but not
16 limited to, oxidation, reduction, and ring opening or closing, resulting in material that has been
17 chemically altered.

18 (b) An alkaloid or alkaloid derivative of the kratom leaf that has been created by
19 chemical synthesis or biosynthetic means, including fermentation, recombinant techniques, yeast-
20 driven techniques, and enzymatic techniques, rather than by traditional food preparation
21 techniques, such as heating or extracting.

22 (c) Purified mitragynine with enhanced levels of 7-hydroxymitragynine that are not
23 found in the natural kratom leaf.

24 2 Enforcement, Requirements and Penalties; Premises Restrictions; Unlawful Purpose. RSA
25 179:50 is repealed and reenacted to read as follows:

26 179:50 Unlawful Purpose.

27 I. No licensee shall use, or allow to be used, their premises for any purpose contrary to law.

28 II. No licensee shall permit or allow the on-premises ingestion, inhalation, smoking, or
29 vaping of any unauthorized kratom products, as defined by RSA 175:1, LXIV -h, on any licensed
30 premises.

31 III. No licensee shall sell, distribute, furnish, offer for sale, advertise, manufacture, or
32 possess any unauthorized kratom products as defined by RSA 175:1, LXIV-h.

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1 IV. The penalty for violations of paragraph II or paragraph III shall be determined by the
2 state liquor commission in accordance with rules adopted under RSA 541-A. However, a second
3 offense under paragraph II or paragraph III shall result in revocation of the license.

4 3 Effective Date. This act shall take effect January 1, 2027.

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AMENDED ANALYSIS

This bill makes it illegal for liquor commission licensees to sell, distribute, furnish, offer for sale, advertise, manufacture, possess, or allow the ingestion, inhalation, smoking, or vaping of certain kratom products.