

2021 South Dakota Legislature

House Bill 1262**AMENDMENT 1262B FOR THE INTRODUCED BILL**

1 **An Act to regulate ~~certain substances~~ kratom for those under the age of twenty-**
2 **one.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 ~~**Section 1.** This Act provides provisions regulate certain substances.~~

5 **Section 1.** That a NEW SECTION be added:

6 **34-20B-115. Kratom--Under age--Misdemeanor.**

7 The following actions are unlawful:

8 (1) To knowingly sell or distribute kratom to a person under the age of twenty-one;

9 (2) The purchase or attempt to purchase, the receipt or attempt to receive, the
10 possession, or the consumption of kratom by a person under the age of twenty-
11 one; and

12 (3) To purchase kratom on behalf of, or to give kratom to, any person under the age
13 of twenty-one, unless the purchaser is a parent or guardian of the person under
14 the age of twenty-one.

15 Kratom, for the purposes of this section, is a substance that contains 7-
16 hydroxymitragynine, Mitragynine, or Mitragynine pseudoindoxyl. A violation of this section
17 is a Class 2 misdemeanor.