

2021 South Dakota Legislature

House Bill 1262**AMENDMENT 1262D FOR THE HOUSE COMMERCE AND
ENERGY BILL**

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.

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

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

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

5 **34-20B-115. Kratom--Under age--Misdemeanor.**

6 The following actions are unlawful:

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

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

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

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