



## 2021 South Dakota Legislature

**House Bill 1262**

HOUSE ENGROSSED

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

Introduced by: **Representative Perry**

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

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

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

4 **34-20B-115. Kratom--Under age--Misdemeanor.**

5 The following actions are unlawful:

- 6 (1) To knowingly sell or distribute kratom to a person under the age of twenty-one;  
 7 (2) The purchase or attempt to purchase, the receipt or attempt to receive, the  
 8 possession, or the consumption of kratom by a person under the age of twenty-  
 9 one; and  
 10 (3) To purchase kratom on behalf of, or to give kratom to, any person under the age  
 11 of twenty-one, unless the purchaser is a parent or guardian of the person under  
 12 the age of twenty-one.

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