



SF0056

Kratom product regulation.

Sponsored By: Senator(s) Landen, Brennan, Crago, Hutchings,
Nethercott and Olsen and Representative(s) Clouston,
Harshman and Yin

AN ACT relating to food and drugs; regulating the sale, testing and use of kratom products as specified; authorizing the department of health and local law enforcement to enforce compliance with kratom product regulation as specified; providing definitions; providing criminal penalties; providing appropriations; authorizing full-time positions; and providing for effective dates.

1/28/2026 Bill Number Assigned
1/29/2026 S Received for Introduction
2/10/2026 S Introduced and Referred to S01 - Judiciary 29-1-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barlow, Biteman, Boner, Brennan, Case, Cooper, Crago, Crum, Dockstader, Driskill, French, Gierau, Hicks, Hutchings, Jones, Kolb, Landen, Laursen, Love, Mckeown, Nethercott, Olsen, Pearson, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Ide

Excused: Senator Pappas

Ayes 29 **Nays** 1 **Excused** 1 **Absent** 0 **Conflicts** 0

2/17/2026 S01 - Judiciary:Recommend Amend and Do Pass 4-0-1-0-0

ROLL CALL

Ayes: Senator(s) Crago, Crum, Kolb, Olsen

Excused: Senator Hicks

Ayes 4 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/17/2026 :Rerefer to S02 - Appropriations

2/19/2026 Recalled from Committee Pursuant to Senate Rule 5-5: 29-2-0-0-0

ROLL CALL

Ayes: (s) Anderson, Barlow, Biteman, Boner, Brennan, Cooper, Crago, Crum, Dockstader, Driskill, Gierau, Hicks, Hutchings, Ide, Jones, Kolb, Landen, Laursen, Love, Mckeown, Nethercott, Olsen, Pappas, Pearson, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: (s) Case, French

Ayes 29 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

SF0056SS001/FAILED

Page 1-above line 1

In the catch title, after "Kratom" insert "and tianeptine"; delete "regulation" and insert "prohibition".

Page 1-line 1

Delete "regulating" and insert "prohibiting".

Page 1-line 2

Delete "testing and use" and insert "dispensing, distributing, manufacturing or producing"; after "kratom" insert "and tianeptine".

Page 1-lines 3 and 4

Delete entirely.

Page 1-line 5 Delete "regulation as specified;".

Page 1-line 6 After "criminal" insert "and civil".

Page 1-line 11 Delete "35-7-2203" and insert "35-7-2204".

Page 1-line 15 After "KRATOM" insert "AND TIANEPTINE"; delete "REGULATION" and insert "PROHIBITION".

Pages 2 through 15 Delete entirely.

Page 16-lines 1 through 7 Delete entirely and insert:

"35-7-2201. Short title.

This act shall be known and may be cited as the "Act to Protect Communities from Unregulated Substances."

35-7-2202. Legislative findings.

(a) The legislature finds and declares that:

(i) Unregulated kratom and tianeptine products are dangerous substances and present serious public health concerns;

(ii) The United States Food and Drug Administration (FDA) has determined that kratom is not appropriate for use as a dietary supplement and there are no FDA-approved drug products containing kratom or its known alkaloids sold in the United States;

(iii) An estimated one million seven hundred thousand (1,700,000) Americans used kratom in 2021;

(iv) Tianeptine, also referred to as "gas station heroin", is not approved by the FDA for any medical use;

(v) The FDA has warned that tianeptine can lead to symptoms of varying severity, including agitation, drowsiness, confusion, sweating, rapid heartbeat, high blood pressure, nausea, vomiting, slowed or stopped breathing, coma and death.

35-7-2203. Definitions.

(a) As used in this article:

(i) "Kratom" means any part of the leaf of the plant *mitragyna speciosa* in any form or derivative of, such as 7-hydroxymitragynine;

(ii) "Kratom product" means a finished product containing kratom that is intended for human use and is in any form;

(iii) "Tianeptine product" means a finished product containing tianeptine that is intended for human use and is in any form.

35-7-2204. Consumer protection against unregulated products.

(a) It shall be unlawful for any person to dispense, distribute, manufacture, produce or sell a kratom or tianeptine product if the product has not been approved by the FDA.

(b) The attorney general and local law enforcement shall be authorized to:

(i) Impose a criminal penalty of not more than seven hundred fifty dollars (\$750.00) upon any person who is found guilty of a violation of subsection (a) of this section;

(ii) Seize kratom and tianeptine products;

(iii) Conduct or initiate forfeiture actions against persons who violate subsection (a) of this section;

(iv) Refer a person for suspension or revocation of a license if applicable;

(v) Require persons who violate subsection (a) of this section to complete corrective action plans as specified by rule of the attorney general."

Page 16-lines 9 through 20 Delete entirely.

Page 16-line 22 Delete "**Section 3.**" and insert "**Section 2.**".

Page 17-line 1 Delete "department of agriculture" and insert "division of criminal investigation".

Page 17-line 5 Delete "department of" and insert "division of criminal investigation".

Page 17-line 6 Delete "agriculture".

Page 17-line 7 Delete "for".

Page 17-line 8 Delete entirely and insert "effective immediately".

Page 17-line 14 Delete "department of agriculture's" and insert "division of criminal investigation's".

Page 17-lines 17 through 23 Delete entirely and insert:

"(b) There is appropriated five hundred thousand dollars (\$500,000.00) from the general fund to the division of criminal investigation for purposes of purchasing equipment necessary for the testing of kratom and tianeptine products as required by this act. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2028. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2028. It is the intent of the legislature that this appropriation not be included in the division of criminal investigation's standard budget for the immediately succeeding fiscal biennium.

(c) There is appropriated one hundred fifty thousand dollars (\$150,000.00) from the general fund to the division of criminal investigation for purposes of equipment maintenance purchased pursuant to subsection (b) of this section.

Page 8-line 8 After "product" insert "or delivers a kratom product to a person less than twenty-one (21) years of age".
WASHUT, CHAIRMAN

**SF0056HS001.02/FAILED [DIVIDED AMENDMENT]
(CORRECTED COPY)**

Page 5-line 6 Delete "two percent (2%)" and insert "two-tenths of one percent (0.20%)".

Page 8-line 14 Delete "two percent (2%)" and insert "two-tenths of one percent (0.20%)". WASHUT, CHAIRMAN

SF0056HW001/ADOPTED

Page 16-line 10 After "\$115,000.00)" insert "from opioid settlement funds distributed to the department of health or, if opioid settlement funds are not available for that purpose, then".

Page 17-line 5 After "\$197,540.00)" insert "from opioid settlement funds distributed to the department of health or, if opioid settlement funds are not available for that purpose, then".

Page 17-line 18 After "\$24,000.00)" insert "from opioid settlement funds distributed to the department of health or, if opioid settlement funds are not available for that purpose, then". BEAR

2/27/2026 H COW:Passed
3/2/2026 H 2nd Reading:Passed

SF0056H3001/FAILED

Delete the House standing committee amendment (SF0056HS001.01/AC) and the Bear committee of the whole amendment (SF0056HW001/A) entirely and further amend as follows:

Page 1-above line 1 In the catch title, after "Kratom" insert "and tianeptine"; delete "regulation" and insert "prohibition".

Page 1-line 1 Delete "regulating" and insert "prohibiting".

Page 1-line 2 Delete "testing and use" and insert "dispensing, distributing, manufacturing or producing"; after "kratom" insert "and tianeptine".

Page 1-lines 3 and 4 Delete entirely.

Page 1-line 5 Delete "regulation as specified;".

Page 1-line 6 After "criminal" insert "and civil".

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(ii) Seize kratom and tianeptine products;

(iii) Conduct or initiate forfeiture actions against persons who violate subsection (a) of this section;

(iv) Refer a person for suspension or revocation of a professional or retail license if applicable;

(v) Require persons who violate subsection (a) of this section to complete corrective action plans as specified by rule of the attorney general."

Page 16-line 22 Delete "**Section 3.**" and insert "**Section 2.**".

Page 17-line 1 Delete "department of agriculture" and insert "division of criminal investigation".

Page 17-line 5 Delete "department of".

Page 17-line 6 Delete "agriculture" and insert "division of criminal investigation".

Page 17-line 8 Delete "July 1, 2026" and insert "with the effective date of this act".

Page 17-line 14 Delete "department of agriculture's" and insert "division of criminal investigation's".

Page 17-lines 17 through 23 Delete entirely.

Page 18-lines 1 through 9 Delete entirely and insert:

"(b) There is appropriated five hundred thousand dollars (\$500,000.00) from the general fund to the division of criminal investigation for purposes of purchasing equipment necessary for the testing of kratom and tianeptine products as required by this act. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2028. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2028. It is the intent of the legislature that this appropriation not be included in the division of criminal investigation's standard budget for the immediately succeeding fiscal biennium.

(c) There is appropriated one hundred fifty thousand dollars (\$150,000.00) from the general fund to the division of criminal investigation for purposes of maintenance for equipment purchased pursuant to subsection (b) of this section. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2028. This appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2028.

Section 3. The division of criminal investigation shall promulgate all rules necessary to implement this act."

Page 18-line 11 Delete "**Section 5.**" and insert "**Section 4.**".

Page 18-line 16 Delete "Sections 4 and 5" and insert "Sections 2 through 4". RODRIGUEZ-WILLIAMS, LIEN

ROLL CALL

Ayes: Representative(s) Allemand, Brady, Bratten, Brown, G, Guggenmos, Heiner, Hoeft, Knapp, Locke, Lucas, Mccann, Neiman, Ottman, Rodriguez-Williams, Smith, Strock, Styvar, Webb, Webber, Wharff, Winter

Nays: Representative(s) Andrew, Angelos, Banks, Bear, Brown, L, Byron, Campbell, E, Chestek, Clouston, Connolly, Davis, Erickson, Filer, Fornstrom, Geringer, Harshman, Jarvis, Johnson, Larsen, L, Larson, Jt, Lawley, Nicholas, Posey, Provenza, Riggins, Schmid, Sherwood, Singh, Storer, Tarver, Thayer, Washut, Wasserburger, Williams, Wylie, Yin

Excused: Representative(s) Campbell, K, Haroldson, Kelly, Lien, Pendergraft

Ayes 21 **Nays** 36 **Excused** 5 **Absent** 0 **Conflicts** 0

SF0056H3002/WITHDRAWN

3/3/2026 H 3rd Reading:Passed 57-0-5-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Andrew, Angelos, Banks, Bear, Brady, Bratten, Brown, G, Brown, L, Byron, Campbell, E, Chestek, Clouston, Connolly, Davis, Erickson, Filer, Fornstrom, Geringer, Guggenmos, Harshman, Heiner, Hoeft, Jarvis, Johnson, Knapp, Larsen, L, Larson, Jt, Lawley, Locke, Lucas, Mccann, Neiman, Nicholas, Ottman, Posey, Provenza, Riggins, Rodriguez-Williams, Schmid, Sherwood, Singh, Smith, Storer, Strock, Styvar, Tarver, Thayer, Washut, Wasserburger, Webb, Webber, Wharff, Williams, Winter, Wylie, Yin

Excused: Representative(s) Campbell, K, Haroldson, Kelly, Lien, Pendergraft

Ayes 57 **Nays** 0 **Excused** 5 **Absent** 0 **Conflicts** 0

3/3/2026 S Received for Concurrence

3/4/2026 S Concur:Passed 30-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barlow, Biteman, Boner, Brennan, Case, Cooper, Crago, Crum, Dockstader, Driskill, French, Gierau, Hicks, Hutchings, Jones, Kolb, Landen, Laursen, Love, Mckeown, Nethercott, Olsen, Pappas, Pearson, Rothfuss, Salazar, Schuler, Scott, Steinmetz

Nays: Senator Ide

Ayes 30 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

3/4/2026 Assigned Number SEA No. 0044

3/4/2026 S President Signed SEA No. 0044

3/4/2026 H Speaker Signed SEA No. 0044

3/6/2026 Governor Signed SEA No. 0044

3/6/2026 Assigned Chapter Number 68

Chapter No. 68 Session Laws of Wyoming 2026