

ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025
COMMITTEE STATEMENT
LB230

Hearing Date: Wednesday January 29, 2025
Committee On: Judiciary
Introducer: Hallstrom
One Liner: Adopt the Kratom Consumer Protection Act

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye: 8 Senators Bosn, DeBoer, Hallstrom, Holdcroft, McKinney, Rountree, Storer, Storm
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Bob Hallstrom
Walker Gallman
Christine Vanderford
Sarah Linden
Annette Dubas

Joseph Fraas
Mac Haddow

Opponents:

John Knopp
Hannes Zetzche

Neutral:

Representing:

Opening Presenter
Global Kratom Coalition
Kure CBD & Vape
Generation V; Grateful Green
Nebraska Association of Behavioral Health Organizations
G&G Smokeshop, Inc.
American Kratom Association

Representing:

Blissful Botanicals
Holistic Alternative Recovery Trust

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 230 Creates the Kratom Consumer Protection Act.

The Act defines certain terms including, but not limited to, kratom extract, kratom leaf, and kratom product. The Act also establishes a 21-year-old age minimum for selling or distributing a kratom product, mandates an age verification system to ensure compliance, and prohibits putting kratom products into commerce in such a way as to be attractive to children.



The Act also requires that kratom products introduced into commerce be in compliance with federal regulations for good manufacturing practices. The Act provides labeling requirements for kratom products introduced into commerce for dietary restrictions, allergen labeling, and certain other warnings to the consumer. Such labeling requirements include the following: a pregnancy or breastfeeding warning, consult a health care practitioner prior to use, may be habit forming, not intended to diagnose or treat disease, the name and place of the processor, directions for use, the recommended number of servings, and the number of servings per container and ingredients.

The Act also directs the Department of Revenue to establish and administer a program to register kratom products and establishes penalty provisions and hearing procedures for violations and registration denials. The Act also directs the Tax Commissioner to make a final decision following a hearing and provides an appeal procedure. The Attorney General is authorized to enforce this Act.

Explanation of amendments:

AM 139 clarifies the definition of kratom leaf and kratom product to align with kratom laws and regulations in other states, and reduces the types of products that can be sold to reduce the risks in unknown product forms.

AM 139 also strikes redundant language related to federal manufacturing facility requirements and strikes references to federal labeling requirements without changing the applicability of federal requirements to kratom products. The additional labeling requirements in this bill remove that need.

AM 139 also strikes the declaration requirement regarding the level of 7-hydroxymitragynine because the the alkaloid fraction will need to be demonstrated by the producer for the product to be registered.

AM 139 adds new language regarding packaging volume in order to streamline product registration by allowing consolidation for applications if the same product is sold in varying quantities.

AM 139 strikes part of the description of an adulterated product to close the possible loophole of products not held out as kratom and therefore unregulated.

Carolyn Bosn, Chairperson

