**South Carolina General Assembly**

126th Session, 2025-2026

**S. 221**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Ott and Alexander

Companion/Similar bill(s): 4030

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Introduced in the Senate on January 15, 2025

Introduced in the House on April 30, 2025

Last Amended on April 24, 2025

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: South Carolina Kratom Consumer Protection Act

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/15/2025 Senate Introduced and read first time (Senate Journal‑page 10)

 1/15/2025 Senate Referred to Committee on **Medical Affairs** (Senate Journal‑page 10)

 4/15/2025 Senate Committee report: Favorable with amendment **Medical Affairs** (Senate Journal‑page 16)

 4/18/2025 Scrivener's error corrected

 4/24/2025 Senate Committee Amendment Adopted (Senate Journal‑page 21)

 4/24/2025 Senate Read second time (Senate Journal‑page 21)

 4/24/2025 Senate Roll call Ayes-39 Nays-0 (Senate Journal‑page 21)

 4/24/2025 Senate Unanimous consent for third reading on next legislative day (Senate Journal‑page 21)

 4/25/2025 Senate Read third time and sent to House (Senate Journal‑page 1)

 4/30/2025 House Introduced and read first time

 4/30/2025 House Referred to Committee on **Medical, Military, Public and Municipal Affairs**

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=221&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/15/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/221_20250115.docx)

[04/15/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/221_20250415.docx)

[04/18/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/221_20250418.docx)

[04/24/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/221_20250424.docx)

Indicates Matter Stricken

Indicates New Matter

Committee Amendment Adopted

April 24, 2025

S. 221

Introduced by Senators Ott and Alexander

S. Printed 4/24/25--S.

Read the first time January 15, 2025

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A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT” BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

 Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 53, Title 44 of the S.C. Code is amended by adding:

Article 20

South Carolina Kratom Consumer Protection Act

 Section 44‑53‑2010. As used in this article:

 (1) “Department” means the South Carolina Department of Public Health.

 (2) “Food” means any food, food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption.

 (3) “Kratom” means any part of the tropical evergreen plant mitragyna speciosa.

 (4) “Kratom processor” means a person or entity that prepares, manufactures, distributes, or maintains kratom products or advertises, represents, or claims to sell, prepare, or maintain kratom products.

 (5) “Kratom product” means any food or dietary ingredient, produced as a food, drink, powder, pill, capsule, or any other format intended for oral consumption that:

 (a) contains any part of the leaf of the plant mitragyna speciosa, either on its native leaf or extracted form; or

 (b) contains any kratom alkaloids or constituents, or synthesized metabolites of any kratom alkaloids or constituents.

 (6) “Kratom retailer” means a person or entity that sells or advertises, represents, or claims to sell kratom products.

 Section 44‑53‑2020. (A) It is unlawful for a kratom processor or kratom retailer to:

 (1) distribute, dispense, or sell any kratom product to any individual under twenty‑one years of age; or

 (2) prepare, manufacture, distribute, dispense, or sell any kratom product that:

 (a) is adulterated with a dangerous non‑kratom substance that affects the quality or strength of the product to such a degree that it may injure a consumer;

 (b) contains a poisonous or otherwise harmful non‑kratom ingredient including, but not limited to, any substance listed in Section 44‑53‑190, 44‑53‑210, 44‑53‑230, 44‑53‑250, or 44‑53‑270;

 (c) contains a fully synthetic alkaloid including, but not limited to, fully synthetic mitragynine, fully synthetic 7‑hydroxymitragynine, or any other fully synthetically derived compound of the plant mitragyna speciosa;

 (d) contains levels of residual solvents higher than the standards set forth in Chapter 467 of the U.S. Pharmacopeia‑National Formulary (USP‑NF); or

 (e) does not meet the labeling requirements established pursuant to Section 44‑53‑2030 and a regulation promulgated to implement the provisions of that section.

 (B) It is unlawful for a kratom retailer to display or store a kratom product in a retail location in a manner that would allow the product to be accessed by an individual under twenty‑one years of age.

 Section 44‑53‑2030. Every kratom product must be accompanied by a clear label that provides adequate information for safe and effective use by consumers including, but not limited to:

 (1) a list of the ingredients used in the manufacture of the product;

 (2) the amount of mitragynine and 7‑hydroxymitragynine contained in the product;

 (3) the recommended serving size of the product;

 (4) the number of servings per container;

 (5) the name and the principal street address of the vendor or the person responsible for distributing the product;

 (6) any precautionary statements as to the safety and effectiveness of the product;

 (7) a statement that the product is not intended to diagnose, treat, cure, or prevent any medical condition or disease; and

 (8) a statement that the sale or transfer of the product to a person under twenty‑one years of age is prohibited.

 Section 44‑53‑2040. A retailer found to be in violation of Section 44‑53‑2020 or 44‑53‑2030, or a regulation promulgated pursuant to the provisions of this article, is subject to a civil penalty of not more than one thousand dollars for a first offense and a civil penalty of not more than two thousand dollars for a second or subsequent offense.

SECTION 2. This act takes effect upon approval by the Governor.

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