

HB4930



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4930

by Rep. William E Hauter

SYNOPSIS AS INTRODUCED:

New Act

Creates the Protect Communities from Unregulated Substances Act. Prohibits dispensing, distributing, manufacturing, or selling kratom or tianeptine products for human use unless approved by the U.S. Food and Drug Administration. Provides civil penalties of \$10,000 per violation and authorizes enforcement by the Attorney General. Declares findings. Defines "kratom", "kratom product", and "tianeptine product". Includes severability. Effective immediately.

LRB104 20229 BDA 33680 b

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Protect Communities from Unregulated Substances Act.

6 Section 5. Findings. The General Assembly finds and
7 declares that:

8 (a) Unregulated kratom and tianeptine are dangerous
9 substances and represent serious public health concerns.

10 (b) The U.S. Food and Drug Administration has determined
11 that kratom is not appropriate for use as a dietary supplement
12 and there are no drug products approved by the U.S. Food and
13 Drug Administration containing kratom or its known alkaloids
14 legally sold in the United States.

15 (c) An estimated 1,700,000 Americans said they used kratom
16 in 2021.

17 (d) Tianeptine, also referred to as gas station heroin, is
18 not approved by the U.S. Food and Drug Administration for any
19 medical use.

20 (e) The U.S. Food and Drug Administration has warned that
21 tianeptine use can lead to symptoms of varying severity,
22 including agitation, drowsiness, confusion, sweating, rapid
23 heartbeat, high blood pressure, nausea, vomiting, slowed or

1 stopped breathing, coma, and death.

2 Section 10. Definitions. As used in this Act:

3 "Kratom" includes any part of the leaf of the plant
4 *Mitragyna speciosa*, whether growing or not, and any compound,
5 manufacture, salt, derivative, mixture, or preparation of the
6 plant.

7 "Kratom product" means a finished product containing
8 kratom in fresh, frozen, dehydrated, dried, extract, fluid,
9 paste, pill, or powder.

10 "Tianeptine product" means a finished product containing
11 tianeptine intended for human use in a beverage, capsule,
12 pill, powder, or other edible or consumable form.

13 Section 15. Consumer protections against unregulated
14 products.

15 (a) It is unlawful for any person, business, or other
16 entity to dispense, distribute, make available, offer for
17 sale, manufacture, produce, or sell a kratom product or
18 tianeptine product for human use that has not been approved by
19 the U.S. Food and Drug Administration.

20 (b) Any person who violates this Section is liable for a
21 civil penalty of \$10,000 for each violation. The Attorney
22 General shall enforce this Act by initiating a civil suit to
23 collect the civil penalties under this Section. This Act shall
24 not be interpreted to limit availability of equitable remedies

1 or recovery of damages under the common law or statute.

2 Section 97. Severability. The provisions of this Act are
3 severable under Section 1.31 of the Statute on Statutes.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.