

SB3160



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3160

Introduced 2/2/2026, by Sen. Cristina Castro

SYNOPSIS AS INTRODUCED:

New Act

Creates the Kratom Prohibition Act. Prohibits the purchase, possession, sale, or distribution of any product containing kratom. Authorizes certified local health departments that adopt an ordinance to enforce the Act and impose fines. Provides that violations are Class B misdemeanors with a minimum fine of \$500 for selling or furnishing kratom. Defines terms. Repeals the Kratom Control Act.

LRB104 19683 BDA 33132 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 Kratom
5 Prohibition Act.

6 Section 5. Definitions. As used in this Act:

7 "Kratom" means any parts of the plant *Mitragyna speciosa*,
8 whether growing or not, and any compound, manufacture, salt,
9 derivative, semi-synthesized kratom alkaloids or kratom
10 constituents, synthesized kratom alkaloids or kratom
11 constituents, extract, mixture, or preparation of that plant,
12 including, but not limited to, mitragynine and
13 7-hydroxymitragynine.

14 "Ordinance health department" means a certified local
15 health department whose governing body has adopted an
16 ordinance electing to administer and enforce this Act.

17 "Semi-synthesized kratom alkaloids or kratom constituents"
18 means a kratom extract that has been further exposed to
19 chemicals, processes, or a combination of chemicals and
20 processes that would confer a structural change in the
21 alkaloids contained within the extract, such as with
22 oxidation, reduction, ring opening, or ring closing, resulting
23 in material that has been chemically altered.

1 "Synthesized kratom alkaloids or kratom constituents"
2 means an alkaloid or alkaloid derivative that has been created
3 by chemical synthesis or biosynthetic means, including, but
4 not limited to, fermentation, recombinant techniques, yeast
5 derived, or enzymatic techniques, rather than traditional food
6 preparation techniques, such as heating or extracting.

7 Section 10. Kratom sale or possession prohibited.

8 (a) No person, of any age, shall knowingly purchase or
9 possess any product containing any quantity of Kratom.

10 (b) No person shall knowingly sell, buy for, distribute
11 samples of, or furnish any product containing any quantity of
12 Kratom to any person.

13 Section 15. Local enforcement. An ordinance adopted by a
14 governing body of an ordinance health department may include
15 fines for violations of this Act. An ordinance health
16 department may assess fines and forward evidence of violations
17 of this Act to the municipal attorney or State's Attorney for
18 prosecution. An ordinance health department may collect and
19 retain revenue from fines collected under the ordinance. An
20 ordinance health department shall be limited to conducting
21 regulatory inspections under this Act of anyone selling
22 prohibited kratom at permitted food establishments subject to
23 inspection by the ordinance health department.

1 Section 20. Sentence. Violation of subsection (a) of
2 Section 10 of this Act is a Class B misdemeanor. Violation of
3 subsection (b) of Section 10 of this Act is a Class B
4 misdemeanor for which the offender shall be fined an amount of
5 not less than \$500.

6 Section 25. Repeal. The Kratom Control Act is repealed.