

1 HOUSE JOINT RESOLUTION NO. 60

2 INTRODUCED BY C. SCHOMER

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA REQUESTING AN INTERIM STUDY ON THE EFFECTS AND REGULATION OF KRATOM; AND
6 REQUIRING THAT THE RESULTS OF THE STUDY BE REPORTED TO THE 70TH LEGISLATURE.
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8 WHEREAS, the leaves of the kratom tree of southeastern Asia can be consumed in capsule, pill, or
9 extract form, ~~or chewed, smoked,~~ or brewed into tea to produce both stimulative and sedative effects; and

10 WHEREAS, kratom has long been valued for its analgesic effects and has been used to aid in the
11 management of opioid withdrawal and used in traditional medicine, but there are rising concerns about the
12 health risks associated with kratom use and its connection with addictive disorders; and

13 WHEREAS, according to the Substance Abuse and Mental Health Services Administration's National
14 Survey on Drug Use and Health, an estimated ~~1.7~~ 24 million Americans 12 years of age and older used kratom
15 in 2021; and

16 WHEREAS, though the U.S. Food and Drug Administration, the U.S. Centers for Disease Control and
17 Prevention, and the National Institute on Drug Abuse continue to conduct research to measure and better
18 understand the short-term and long-term health benefits or risk effects of kratom use, states have started
19 addressing the topic and enacting varying policies to regulate the substance; and

20 WHEREAS, the Montana Legislature attempted efforts in 2021 and 2023 to regulate kratom within state
21 borders but, due to limited information around the known effects and the substance's uses, those efforts
22 ultimately failed; and

23 WHEREAS, kratom should be studied to investigate its potential health benefits and risks to Montanans
24 to ensure a proper response in state regulation.
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26 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
27 THE STATE OF MONTANA:

28 That the Legislative Council be requested to designate an appropriate interim committee or statutory

committee, pursuant to section 5-5-217, MCA, to investigate the effects of kratom use and consider the regulation of kratom in Montana.

BE IT FURTHER RESOLVED, that the committee:

- (1) investigate the different forms of kratom and its methods of use;
- (2) examine the potential health benefits or risks associated with the use of kratom, including the short-term and long-term effects of kratom and kratom products;
- (3) study the prevalence and methods of distribution of kratom in Montana, including the review of state retailers, producers, and marketers of kratom and kratom products;
- (4) review existing federal policies that govern the regulation and distribution of kratom;
- (5) examine the policies of other states that regulate or have attempted to regulate kratom and analyze the success of those policies;
- (6) investigate existing law and the current powers of the Department of Justice, the Department of Public Health and Human Services, and county health departments to regulate kratom or to educate Montanans on its possible health benefits or risks; and
- (7) determine the appropriate response for state regulation, including but not limited to the distribution, marketing, education, or sale of kratom or kratom products in Montana.

BE IT FURTHER RESOLVED, that the committee consider input from relevant stakeholders, including but not limited to businesses and organizations that have an interest in the production or marketing of kratom and kratom products, public health officials, the Department of Justice, and the Department of Public Health and Human Services.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2026.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 70th Legislature.

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