

SESSION OF 2026

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 497**

As Recommended by Senate Committee on  
Public Health and Welfare

**Brief\***

SB 497 would add 7-hydroxymitragynine (7-OH), a derivative of kratom, and mitragynine, the primary psychoactive component of kratom, to Schedule I of the Uniform Controlled Substances Act (Act). The bill would also make conforming amendments to the definition of “fentanyl-related controlled substance” in the Kansas Criminal Code.

**Background**

The bill was introduced by the Senate Committee on Public Health and Welfare at the request of Senator Klemp.

***Senate Committee on Public Health and Welfare***

In the Senate Committee hearing, **proponent** testimony was provided by Senator Klemp and representatives of Clinical Reference Laboratory, Kansas Bureau of Investigation, Kansas Children’s Death Review Board, and Stand Up for Kansas. The proponents generally stated there is a scientific difference between how the body breaks down 7-OH and kratom, and it is this process that creates adverse effects. The proponents also stated there are concerns with how gas stations, convenience stores, and smoke shops are marketing synthetic versions of 7-OH.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

Written-only proponent testimony was provided by representatives of DCCCA, Kansas Association of Chiefs of Police, Kansas Family Voice, Lawrence-Douglas County Public Health Department, and State Board of Pharmacy, and eight private citizens.

**Opponent** testimony was provided by representatives of American Kratom Association, Botanicals for Better Health and Wellness, CBD American Shaman, and nine private citizens. The opponents stated there needs to be a clearer understanding of the difference between 7-OH and kratom. The conferees noted the benefits of kratom as a natural and therapeutic plant product versus the synthetic nature of 7-OH.

Written-only opponent testimony was provided by representatives of Doctors for Drug Policy Reform, Global Kratom Coalition, Holistic Alternative Recovery Trust, and over 20 private citizens.

### **Fiscal Information**

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration (Office) states enactment of the bill could increase the number of cases filed in district court because it adds a new drug to Schedule I of the Act, which would increase the time spent by judges and court employees processing and hearing cases. The Office indicates a fiscal effect cannot be estimated until the courts have had an opportunity to operate under the bill's provisions. The Office also indicates enactment of the bill could result in the collection of docket fees for those cases filed under the bill's provisions, which could be deposited into State General Fund.

The Kansas Sentencing Commission states enactment of the bill would not have an effect on prison beds or admissions. The Department of Corrections states there would be no fiscal effect from enactment of the bill.

The State Board of Pharmacy states there would be no fiscal effect resulting from enactment of the bill. Any fiscal effect associated with the bill is not reflected in *The FY 2027 Governor's Budget Report*.

Controlled substances; Uniform Controlled Substances Act; kratom; 7-OH