

### Fiscal Estimate - 2021 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>21-5940/1</b>	<b>Introduction Number</b> <b>SB-958</b>
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**Description**  
 Regulating kratom products, granting rule-making authority, and providing a penalty

**Fiscal Effect**

**State:**

<input type="checkbox"/> No State Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Decrease Costs
<input type="checkbox"/> Decrease Existing Appropriations		

**Local:**

<input type="checkbox"/> No Local Government Costs	<b>5. Types of Local Government Units Affected</b>	
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	

<b>Agency/Prepared By</b> DA/ Kasey Deiss (608) 267-2700	<b>Authorized Signature</b> Jana Steinmetz (608) 267-9634	<b>Date</b> 2/17/2022
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## Fiscal Estimate Narratives

DA 2/17/2022

LRB Number	<b>21-5940/1</b>	Introduction Number	<b>SB-958</b>	Estimate Type	<b>Original</b>
<b>Description</b> Regulating kratom products, granting rule-making authority, and providing a penalty					

### Assumptions Used in Arriving at Fiscal Estimate

This fiscal estimate is submitted by the Director of the State Prosecutors Office on behalf of Agency 475 – District Attorneys. This fiscal estimate is responsive only to the fiscal and resource effect of the proposed legislation on the District Attorney program.

This bill defines kratom products as products intended for human or animal consumption, including food, drink, chewing gum, and food supplements, made from any part of a leaf of the *Mitragyna speciosa* plant, and legalizes the manufacture, distribution, delivery, and possession of kratom.

Under current law, kratom is classified as a Schedule I controlled substance and if a person manufactures, distributes, or delivers kratom, he or she is guilty of a Class H felony, and if a person possesses kratom he or she is guilty of a misdemeanor. The bill removes kratom from the schedule of controlled substances and legalizes the manufacture, distribution, delivery, and possession of kratom, subject to certain limitations.

Responsive prosecutors noted that kratom can have effects similar to stimulants and opioids. The legalization of kratom may lead to additional incidences of operating while impaired, property crimes and crimes of interpersonal violence. Responsive prosecutors anticipate an increase in kratom related law enforcement referrals if kratom is legalized.

### Long-Range Fiscal Implications

The long-range fiscal/resource implications of legalizing the manufacture, distribution, delivery, and possession of kratom requires additional study.