



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

3 of the year 20 26

Local Law Title: A LOCAL LAW TO PROHIBIT THE SALE AND DISTRIBUTION OF KRATOM AND
PRODUCTS CONTAINING KRATOM.

Be it enacted by the LEGISLATURE of the
(Name of Legislative Body)

County City Town Village
(Select one)

of NASSAU as follows on the attached pages:
(Name of Local Government)

For Office Use Only

FILED
STATE RECORDS
MAY 14 2026
DEPARTMENT OF STATE

Department of State Local Law Index Number: 3 of the year 2026

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number 6 of 20 25 of the (County)(City)(Town)(Village) of NASSAU was duly passed by the LEGISLATURE on MARCH 9 20 26 and was (approved)(not approved)(repassed after disapproval) by the COUNTY EXECUTIVE on MARCH 24 20 26 in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ . Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer)*

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____ became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph ²_____ above.


MICHAEL C. POLITZER

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

MAY 12, 2026

(Date)

(Seal)



Amendment in the Nature of a Substitution – Clerk Item 27-26

Introduced by: Legislators Patrick Mullaney, Rose Marie Walker and Deputy Minority Leader Arnold W. Drucker

Co-Sponsored by: Presiding Officer Howard J. Kopel, Deputy Presiding Officer Thomas McKeivitt, Alternate Deputy Presiding Officer Michael Giangregorio, Minority Leader Delia DeRiggi-Whitton, Alternate Deputy Minority Leader Debra Mulé, and Legislators Scott M. Davis, Viviana L. Russell, Carrié Solages, Olena Nicks, John J. Giuffré, Scott Strauss, Mazi Melesa Pilip, Cynthia Nufiez, Kayla Knight, Samantha Goetz, James Kennedy

LOCAL LAW NO. 3-2026

A LOCAL LAW TO PROHIBIT THE SALE AND DISTRIBUTION OF KRATOM AND PRODUCTS CONTAINING KRATOM

APPROVED AS TO FORM



Majority Counsel

Passed by Nassau County Legislature on
3/9/26 A voice vote was taken with 19
Legislators present.
Voting: aye 17, nay 0, abstained 2, recused 0
Became a Local Law 3/24/26

BE IT ENACTED by the County Legislature of the County of Nassau as follows:

Section 1. Short Title. This law shall be known as the “Kratom Consumer Protection Act” and shall appear in the Miscellaneous Laws of Nassau County as Title 93.

§2. Legislative Intent.

This Legislature finds that the federal Food and Drug Administration (FDA) determined that Kratom and its derivatives pose threats to public health and have the potential to be abused. The FDA warned consumers not to use Kratom because of the risk of serious adverse events, including liver toxicity, seizures, and substance use disorder. Accordingly, the FDA issued an alert on all dietary supplements and bulk dietary ingredients that contain Kratom or mitragyna speciosa.

This Legislature further finds that mitragynine and 7-hydroxymitragynine (7-OH), the primary active alkaloids in *Mitragyna speciosa* (commonly known as Kratom), produce opioid-like effects and can cause dependence in users and withdrawal symptoms, and that long-term use of Kratom has significant negative health effects, including anorexia, weight loss, nervousness, insomnia, constipation, and skin hyperpigmentation.

This Legislature further finds that Kratom is outlawed in several nations, including, but not limited to, Australia, Denmark, the United Kingdom, Italy, France, Singapore, Japan, South Korea, Vietnam, and Argentina. Presently Kratom is banned in Alabama, Arkansas, Indiana, Louisiana, Vermont, and Wisconsin, as well as many other jurisdictions throughout the Country. Recognizing the dangers associated with Kratom, in 2025, the State of New York enacted legislation levying a civil penalty for the distribution of Kratom to persons under the age of 21.

This Legislature finds that, to protect the health and safety of its residents, Kratom should not be sold in Nassau County.

§3. Definitions. Unless otherwise expressly stated in this local law, the following terms shall have the following meanings:

“Kratom” shall mean any part of the plant *mitragyna speciosa*, and the products derived from its leaves that are marked as herbal or supplements, and/or the plant’s active chemical extract, mitragynine, also known as biak-biak, cratom, gratom, ithang, kakuam, katawan, keedemba, ketum, krathom, krton, madat, Maeng da leaf, nauclea, *Nauclea Speciosa*, or thang, and derivative 7-hydroxymitragynine (7-OH), whether growing or not, and any compound, manufacture, salt, derivative, mixture, or preparation thereof.

“Minor” shall mean any person under the age of twenty-one (21) years of age.

“Person” shall mean any individual, company, partnership, corporation, limited partnership, joint venture or other legal entity.

“Retail Distributor” means a grocery store, general merchandise store, drug store, smoke shop, gas station, on-line distributor and/or retailer or other entity or Person whose activities as a distributor and/or retailer relating to Kratom and/or Kratom products are limited almost exclusively to sales for personal use, both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales, except that such term does not include an employee or agent of such distributor and/or retailer.

§4. Sale or distribution prohibited. No Person or Retail Distributor may sell, offer for sale or otherwise distribute Kratom in the County of Nassau to any Person. This prohibition will not apply to the sale or distribution of Kratom when the product is FDA-approved and/or prescribed by a licensed pharmacist in accordance with a physician’s prescription.

§5. Enforcement and Penalties.

1. This law shall be enforced by the Nassau County Department of Health, the Nassau County Department of Consumer Affairs, and the Nassau County Police Department.
2. Any Person that violates section 4 of this title shall be guilty of a misdemeanor punishable by a fine of not more than one thousand (\$1,000.00) dollars or imprisonment of not more than one year, or both.
 - a. An additional fine of one thousand five hundred (\$1,500.00) dollars may be added for each subsequent violation of section 4.
3. Any Person that violates section 4 of this title by selling, offering for sale or otherwise distributing Kratom to a Minor shall be guilty of a misdemeanor punishable by a fine of not more than one-thousand five hundred (\$1,500.00) dollars or imprisonment of not more than one year, or both.
 - a. An additional fine of two thousand five hundred (\$2,500.00) dollars may be added for each subsequent violation of section 4.

§6. **Severability.** If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership entity or circumstance directly involved in the controversy in which order or judgment shall be rendered.

§7. **SEQRA Determination.** It is hereby determined by the Nassau County Legislature, the lead agency, and pursuant to the provisions of the State Environmental Quality Review Act ("SEQRA"), 8 NYECL section 0101 et seq. and its implementing regulations, Part 617 of 6 NYCRR, and Section 1611 of the County Government Law of Nassau County, that this Local Law will not have a significant impact on the environment and that no further environmental review or action is required.

§8. **Effective Date.** This law shall take effect immediately after becoming a law.



APPROVED


County Executive

ARTHUR T. WALSH
Date Chief Deputy County Executive

3-24-06

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