

Department of Planning and Budget 2023 Fiscal Impact Statement

1. **Bill Number:** SB1108

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. **Patron:** Frank M. Ruff, Jr.

3. **Committee:** General Laws and Technology

4. **Title:** Virginia Consumer Protection Act; prohibited practices; kratom products.

5. **Summary:** Provides that it is a prohibited practice under the Virginia Consumer Protection Act to sell or offer for sale (i) (a) any kratom product, defined in the bill, that includes or is packed with a substance that is not kratom and that affects the quality or strength of the kratom product to such a degree as to render the kratom product injurious to a consumer, (b) any kratom extract that contains levels of residual solvents that are higher than is allowed in the current edition of the United States Pharmacopeia, (c) any kratom product containing a level of 7-hydroxymitragynine in the alkaloid fraction that is greater than two percent of the overall alkaloid composition of the product, or (d) any kratom product containing any synthetic alkaloids, including synthetic mitragyna, synthetic 7-hydroxymitragynine, or any other synthetically derived compounds of the plant *mitragyna speciosa*; (ii) any kratom product to a person younger than 18 years of age; or (iii) any kratom product that does not provide labeling directions necessary for use by consumers, including a recommended serving size.

6. **Budget Amendment Necessary:** Preliminary - Yes, Item 63

7. **Fiscal Impact Estimates:** Preliminary

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2024	\$146,128	1	General Fund
2025	\$146,128	1	General Fund
2026	\$146,128	1	General Fund
2027	\$146,128	1	General Fund
2028	\$146,128	1	General Fund
2029	\$146,128	1	General Fund
2030	\$146,128	1	General Fund

8. **Fiscal Implications:** The Office of the Attorney General and Department of Law (OAG) indicates this legislation will create additional enforcement requirements to the Virginia Consumer Protection Act and OAG will likely need to hire an additional attorney.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General and Department of Law

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/31/2023