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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3452

02/19/2026 Authored by Hanson, J.; Tabke; Elkins; Falconer; Klevorn and others
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; classifying kratom as a Schedule II controlled substance;
1.3 amending Minnesota Statutes 2024, section 152.02, subdivision 3; repealing
1.4 Minnesota Statutes 2024, section 152.027, subdivision 7.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2024, section 152.02, subdivision 3, is amended to read:

1.7 Subd. 3. Schedule II. (a) Schedule II consists of the substances listed in this subdivision.

1.8 (b) Unless specifically excepted or unless listed in another schedule, any of the following
1.9 substances whether produced directly or indirectly by extraction from substances of vegetable
1.10 origin or independently by means of chemical synthesis, or by a combination of extraction
1.11 and chemical synthesis:

1.12 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or
1.13 opiate.

1.14 (i) Excluding:

1.15 (A) apomorphine;

1.16 (B) thebaine-derived butorphanol;

1.17 (C) dextrophan;

1.18 (D) nalbuphine;

1.19 (E) nalmefene;

1.20 (F) naloxegol;

- 2.1 (G) naloxone;
- 2.2 (H) naltrexone; and
- 2.3 (I) their respective salts;
- 2.4 (ii) but including the following:
- 2.5 (A) opium, in all forms and extracts;
- 2.6 (B) codeine;
- 2.7 (C) dihydroetorphine;
- 2.8 (D) ethylmorphine;
- 2.9 (E) etorphine hydrochloride;
- 2.10 (F) hydrocodone;
- 2.11 (G) hydromorphone;
- 2.12 (H) metopon;
- 2.13 (I) morphine;
- 2.14 (J) oxycodone;
- 2.15 (K) oxymorphone;
- 2.16 (L) thebaine;
- 2.17 (M) oripavine;
- 2.18 (2) any salt, compound, derivative, or preparation thereof which is chemically equivalent
- 2.19 or identical with any of the substances referred to in clause (1), except that these substances
- 2.20 shall not include the isoquinoline alkaloids of opium;
- 2.21 (3) opium poppy and poppy straw;
- 2.22 (4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca leaves
- 2.23 (including cocaine and ecgonine and their salts, isomers, derivatives, and salts of isomers
- 2.24 and derivatives), and any salt, compound, derivative, or preparation thereof which is
- 2.25 chemically equivalent or identical with any of these substances, except that the substances
- 2.26 shall not include decocainized coca leaves or extraction of coca leaves, which extractions
- 2.27 do not contain cocaine or ecgonine;
- 2.28 (5) concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid,
- 2.29 or powder form which contains the phenanthrene alkaloids of the opium poppy).

3.1 (c) Any of the following opiates, including their isomers, esters, ethers, salts, and salts
3.2 of isomers, esters and ethers, unless specifically excepted, or unless listed in another schedule,
3.3 whenever the existence of such isomers, esters, ethers and salts is possible within the specific
3.4 chemical designation:

3.5 (1) alfentanil;

3.6 (2) alphaprodine;

3.7 (3) anileridine;

3.8 (4) bezitramide;

3.9 (5) bulk dextropropoxyphene (nondosage forms);

3.10 (6) carfentanil;

3.11 (7) dihydrocodeine;

3.12 (8) dihydromorphinone;

3.13 (9) diphenoxylate;

3.14 (10) fentanyl;

3.15 (11) isomethadone;

3.16 (12) levo-alpha-acetylmethadol (LAAM);

3.17 (13) levomethorphan;

3.18 (14) levorphanol;

3.19 (15) metazocine;

3.20 (16) methadone;

3.21 (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

3.22 (18) moramide - intermediate, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic
3.23 acid;

3.24 (19) pethidine;

3.25 (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;

3.26 (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;

3.27 (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

3.28 (23) phenazocine;

- 4.1 (24) piminodine;
- 4.2 (25) racemethorphan;
- 4.3 (26) racemorphan;
- 4.4 (27) remifentanil;
- 4.5 (28) sufentanil;
- 4.6 (29) tapentadol;
- 4.7 (30) 4-Anilino-N-phenethylpiperidine;
- 4.8 (31) oliceridine;
- 4.9 (32) norfentanyl (N-phenyl-N-(piperidin-4-yl) propionamide).
- 4.10 (d) Unless specifically excepted or unless listed in another schedule, any material,
- 4.11 compound, mixture, or preparation which contains any quantity of the following substances
- 4.12 having a stimulant effect on the central nervous system:
- 4.13 (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 4.14 (2) methamphetamine, its salts, isomers, and salts of its isomers;
- 4.15 (3) phenmetrazine and its salts;
- 4.16 (4) methylphenidate;
- 4.17 (5) lisdexamfetamine.
- 4.18 (e) Unless specifically excepted or unless listed in another schedule, any material,
- 4.19 compound, mixture, or preparation which contains any quantity of the following substances
- 4.20 having a depressant effect on the central nervous system, including its salts, isomers, and
- 4.21 salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible
- 4.22 within the specific chemical designation:
- 4.23 (1) amobarbital;
- 4.24 (2) glutethimide;
- 4.25 (3) secobarbital;
- 4.26 (4) pentobarbital;
- 4.27 (5) phencyclidine;
- 4.28 (6) phencyclidine immediate precursors:
- 4.29 (i) 1-phenylcyclohexylamine;

5.1 (ii) 1-piperidinocyclohexanecarbonitrile;

5.2 (7) phenylacetone.

5.3 (f) Cannabinoids:

5.4 (1) nabilone;

5.5 (2) dronabinol [(-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)] in an oral solution
5.6 in a drug product approved for marketing by the United States Food and Drug Administration.

5.7 (g) Unless specifically excepted or unless listed in another schedule, any of the following
5.8 substances produced directly or indirectly by extraction from substances of vegetable origin
5.9 or independently by means of chemical synthesis, or by a combination of extraction and
5.10 chemical synthesis, or their isomers, esters, ethers, salts, and salts of isomers, esters and
5.11 ethers:

5.12 (1) mitragynine;

5.13 (2) 7-hydroxymitragynine.

5.14 Sec. 2. **REPEALER.**

5.15 Minnesota Statutes 2024, section 152.027, subdivision 7, is repealed.

152.027 OTHER CONTROLLED SUBSTANCE OFFENSES.

Subd. 7. **Sale or possession of kratom.** (a) A person who unlawfully sells any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person under the age of 18 is guilty of a gross misdemeanor.

(b) A person under the age of 18 who unlawfully possesses any amount of kratom or a substance that contains mitragynine or 7-hydroxymitragynine is guilty of a misdemeanor.