



NEW YORK STATE SENATOR

Patricia Fahy

New York State Legislature Passes Fahy, McDonald Bill to Ban Kratom Sales for those Under-21

PATRICIA FAHY July 2, 2025

| ISSUE: **KRATOM**



Legislation would be the first in NYS to finally regulate, address easily accessible Kratom drug following local tragedy

ALBANY, N.Y. – Today, Senator Patricia Fahy (D—Albany) and Assemblymember John T. McDonald, III, RPh (D—Cohoes) announced that the New York State Legislature passed legislation (S.4552 Fahy/A.2340 McDonald) to prohibit the sale of kratom to anyone under the age of 21 in New York State. The legislation is a significant step toward protecting young New

Yorkers from the largely unknown health risks associated with this unregulated, opioid-like substance, and is pending a decision by the Governor.

Kratom, marketed as a “natural supplement” for energy, pain relief, or anxiety, has surged in popularity in recent years, particularly among adolescents and young adults. While legal at the federal level, kratom is not approved by the FDA and lacks regulation in many states. In higher doses, the substance mimics opioids, with effects that include respiratory depression, seizures, liver toxicity, and, in some cases, death.

The legislation was a result of discussions at a NY Air National Guard Counterdrug Task Force briefing held in September 2024 regarding the issues that the Task Force was encountering related to kratom sales.

In November 2024, Nick Scribner, a 27-year-old from Ballston Spa, died of respiratory arrest attributed to kratom intoxication. His mother, Cari Scribner, has since become a vocal advocate for reform, warning that kratom’s opioid-like effects are not widely known, under-researched, and that the substance is sold in local convenience stores or vape shops with little to no oversight. This legislation was introduced and shepherded through the legislative process with the support of Cari in memory of her son Nick, who worked closely and diligently with both offices to pass this legislation.

“We’ve seen kratom use rise in our high schools as its sold unregulated in vape shops and corner stores while more and more of our young people consume this drug without knowing its potentially deadly and dangerous effects,” **said bill sponsor Senator Patricia Fahy**. “Right here in the Capital Region, 27-year-old Nick Scribner tragically lost his life to kratom use. His mother, Cari Scribner, has become a vocal advocate for kratom regulation after experiencing what no parent should ever have to experience: the loss of a child. I’m hopeful that this legislation will help save even more young lives, and I look forward to continuing to work

with my colleagues to regulate this dangerous, deadly drug and reduce its use amongst our youth."

Bill sponsor Assemblymember John T. McDonald III, RPh said, "The issues with kratom sales to minors first came to my attention from attending a New York National Guard Counterdrug Task Force meeting. The Counterdrug Task Force was surveilling stores that were selling kratom, which is unregulated and has very serious and unpredictable effects as the varying forms can serve as a stimulant or have opioid like effects. This bill will prohibit kratom sales to those who are under 21 which is a first step as New York State continues to consider how kratom will be regulated in the future. Protecting our minors from drinks and other products that contain kratom where they may not fully understand the effects or impact of the product is a logical measure. Thank you to Cari Scribner for sharing your personal story and for your advocacy and thank you to the Nopiates Committee and National Guard Counterdrug Task Force who I have worked closely with on this bill. I am hopeful that it will be signed into law in the near future."

"Kratom has stayed under the radar far too long; we need to spread the word that it can be lethal," **said Cari Scribner of Milton, mother of Nick Scribner.** "My dear son took something labelled an 'all-natural herb', believing it was safe, and died at age 27. I had an immediate goal to warn families about the truth of kratom addiction and the wide spectrum of its dangers. No family should go through the overwhelming grief we carry every single day. Kratom is sold in candy flavors. This legislation helps protect the most vulnerable of our community: young people."

According to national health surveys, approximately 0.7 to 0.8 percent of U.S. adolescents and adults reported using kratom in the past year. This translates to roughly two million Americans, including tens of thousands of New Yorkers, many of whom are under 21 and able to obtain the substance with no age verification or oversight. Poison control centers across

the country have reported a 52% increase in kratom exposure calls between 2011 and 2017, with over 32% of those calls involving serious medical outcomes. From 2016 to 2017 alone, the CDC confirmed 91 deaths where kratom was identified as the primary cause.

Albany Medical Center clinicians and addiction specialists have reported a growing number of kratom-related visits among young people, many of whom are unaware of the health risks. While several local jurisdictions, including Suffolk County, have implemented their own bans or restrictions, kratom has remained widely available statewide, including here in the Capital Region. This legislation brings New York in line with a growing number of states that have moved to regulate the substance, particularly with respect to youth access.

Under this legislation, the sale of kratom to anyone under the age of 21 will be prohibited. Sellers who violate the law will face civil penalties of up to \$500. Retailers will also be required to post clear signage about the age restriction and verify identification at the point of sale. The bill further directs the New York State Department of Health to conduct a comprehensive study on kratom's impacts and prevalence across the state.

"The members of the New York National Guard Counterdrug Task force are focused on protecting the young people in our communities from harmful substances, to foster healthy, drug-free communities," **said MSgt Jessica Denegar with the New York National Guard Counterdrug Task Force.** "Laws that make this job easier are always welcome."

"The Nopiates Committee would like to thank both the New York State Assembly and the New York State Senate in their resolve in passing bill A2340 which prohibits the sale of Kratom to individuals under the age of 21, " **said Tim Murdick, President of the Nopiates Committee.** "Kratom, which has been sold in New York State for years as a harmless health supplement, with active addictive substance with real consequences, has been available to our youth without FDA approval with miss leading advertising targeting our youth. The

Nopiates Committee, which is a grassroots organization which started targeting the Heroine and Opiate problems in 2015, has realized over the years that addiction can start with our youth with a not fully developed brain. We certainly understand some individual's disappointment with this legislation who take Kratom for various reasons, depression/PTSD etc. but this bill allows for individuals over the age of 21 to still purchase."

###

RELATED LEGISLATION

2025-S4552A

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor

-

Prohibits the sale of kratom to individuals under the age of twenty-one

February 06, 2025

Passed Assembly

Sponsored by **Patricia Fahy**

Do you support this bill?