

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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SENATE BILL 59  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S59-PCS45583-BR-33

Short Title: Age 21 Hemp-Derived Consumables/Kratom. (Public)

Sponsors:

Referred to:

February 6, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT HEMP-DERIVED CONSUMABLE PRODUCTS AND KRATOM  
3 PRODUCTS FROM BEING POSSESSED BY OR SOLD TO PERSONS UNDER AGE  
4 TWENTY-ONE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 39 of Chapter 14 of the General Statutes is amended by adding  
7 a new section to read:

8 **"§ 14-313.1. Possession of hemp-derived consumable products and kratom under age 21**  
9 **prohibited.**

10 (a) Definitions. – Unless the context requires otherwise, the following definitions apply  
11 in this section:

12 (1) Deliver. – The actual constructive, or attempted transfer from one person to  
13 another of a controlled substance, whether or not there is an agency  
14 relationship.

15 (2) Hemp. – As defined in G.S. 90-87.

16 (3) Hemp-derived cannabinoid. – Any tetrahydrocannabinol or any  
17 tetrahydrocannabinolic acid naturally contained in the plant of the genus  
18 Cannabis (cannabis plant), as well as synthetic equivalents of the substances  
19 contained in the cannabis plant or synthetic substances, derivatives, and any  
20 isomers with similar chemical structure and pharmacological activity to those  
21 substances contained in the plant, including any optical, positional, or  
22 geometric isomers. This term also includes any synthetic cannabinoid derived  
23 from hemp and contained in a hemp-derived consumable product.

24 (4) Hemp-derived consumable product. – A hemp product that is a finished good  
25 intended for human ingestion or inhalation that contains a concentration of  
26 any hemp-derived cannabinoid, including any hemp product that at the time  
27 of sale to the ultimate consumer contains a delta-9 THC concentration of not  
28 more than three-tenths of one percent (0.3%) on a dry weight basis. This term  
29 does not include hemp products intended for topical application, or seeds or  
30 seed-derived ingredients that are generally recognized as safe by the United  
31 States Food and Drug Administration (FDA).

32 (5) Hemp product. – As defined in G.S. 90-87.

33 (6) Ingestion. – The process of consuming through the mouth, by swallowing into  
34 the gastrointestinal system or through tissue absorption.

35 (7) Inhalation. – The process of consuming into the respiratory system through  
36 the mouth or nasal passages.



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- 1           (8)   Kratom product. – Any consumer commodity containing any quantity of  
2           mitragynine or 7-hydroxymitragynine or both, extracted from the leaf of the  
3           plant Mitragyna speciosa. This definition includes a synthesized kratom  
4           product.
- 5           (9)   Synthesized kratom product. – An alkaloid, metabolite, or alkaloid derivative  
6           that has been created by chemical synthesis or biosynthetic means, including,  
7           but not limited to, fermentation, recombinant techniques, yeast derived,  
8           enzymatic techniques, rather than traditional food preparation techniques,  
9           such as heating or extracting, that synthetically alters the composition of any  
10          kratom alkaloid or constituent.
- 11       (b)   Prohibition. – Both of the following are unlawful:
- 12           (1)   For any person to knowingly sell or deliver a hemp-derived consumable  
13           product or kratom product to a person who is under 21 years of age. A person  
14           engaged in the sale of hemp-derived consumable products or kratom products  
15           shall demand proof of age from a prospective purchaser if the person has  
16           reasonable grounds to believe that the prospective purchaser is under 21 years  
17           of age.
- 18           (2)   For any person who is under 21 years of age to possess a hemp-derived  
19           consumable product or kratom product.
- 20       (c)   Punishment. – Any person who violates this section is guilty of a Class 2  
21       misdemeanor, which shall include, in addition to any other punishment prescribed for that  
22       offense, a fine of five hundred dollars (\$500.00) for a first offense, one thousand dollars (\$1,000)  
23       for a second offense, and one thousand five hundred dollars (\$1,500) for a third or subsequent  
24       offense.
- 25       (d)   Construction. – Nothing in this section shall be construed as authorizing the sale,  
26       delivery, or possession of any hemp, hemp product, or hemp-derived consumable product or  
27       kratom product that is not otherwise authorized by State or federal law."
- 28       **SECTION 2.** This act becomes effective December 1, 2026, and applies to offenses  
29       committed on or after that date.