STATE OF NEW YORK

9445

IN SENATE

March 12, 2026

Introduced by Sen. C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the public display of kratom advertisements

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 396-aaaa to read as follows:

§ 396-aaaa. Public display of kratom advertisements prohibited. 1. For purposes of this section:

(a) "advertisement" means words, pictures, photographs, symbols, graphics or visual images of any kind, or any combination thereof, which bear a health warning required by federal statute, the purpose or effect of which is to identify a brand of a kratom product reasonably expected to be used with or for the consumption of kratom intended or reasonably expected to be used with or for the consumption of kratom product intended or reasonably expected to be used with or for the consumption of kratom or to promote the use or sale of a kratom product intended or reasonably expected to be used with or for the consumption of kratom.

(b) "kratom" shall have the same meaning as in subdivision one of section three hundred ninety-eight-g of this article.

2. (a) No person, corporation, partnership, sole proprietor, limited partnership, association or any other business entity may place, cause to be placed, maintain or cause to be maintained, kratom product intended or reasonably expected to be used with or for the consumption of kratom, advertisements in a store front or any exterior window or any door which is used for entry or egress by the public to the building or structure containing a place of business within one thousand five hundred feet of a school, provided that within New York city such prohibitions shall apply only within five hundred feet of a school.

(b) Any person, corporation, partnership, sole proprietor, limited partnership, association or any other business entity in violation of this section shall be subject to a civil penalty of not more than five

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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hundred dollars for a first violation and not more than one thousand dollars for a second or subsequent violation.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law.