



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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REFERENCE SHEET | DUTCHESS COUNTY RESOLUTION 2026136

WHAT IT IS

A local law adopted unanimously by the Dutchess County Legislature on August 10, 2026, and awaiting the County Executive's signature as of August 24, reported as expected by the end of the month. She has said publicly that she will continue to press for a full ban. It prohibits the sale and distribution of concentrated and synthetic 7-hydroxymitragynine (7-OH) products countywide. It is not a kratom prohibition. Plain leaf is left available to adults, subject to the New York State age restriction already in effect and the labeling requirements taking effect this December.

WHAT THE MEASURE DOES

- Prohibits any product containing 7-OH above two percent of total alkaloids or above one milligram per serving, matching the thresholds in state bill S8925-A.
- Reaches named lab-made analogs, including MGM-15, MGM-16 and mitragynine pseudoinoxyl, along with chemically similar compounds developed later.
- Extends to online retailers shipping prohibited products to an address in the county, so the prohibition is not limited to storefronts inside the county line.
- Retains the civil penalty and enforcement structure of the County Executive's July 30 proposal, including a higher penalty tier for sales to anyone under 21. Confirm the exact amounts against the adopted text.
- Places enforcement with the county Department of Health.
- Includes a provision addressing what happens to the local law if and when the corresponding state law takes effect.

HOW IT CAME ABOUT

County Executive Sue Serino announced a full countywide prohibition on the sale and distribution of all kratom on July 30, 2026. The Legislature instead filed and moved a narrower measure aimed at concentrates and lab-made analogs. It cleared committee on August 6 and was adopted at the full Legislature meeting on August 10 by voice vote, with no recorded opposition. The Legislature's own announcement described the measure as targeting dangerous concentrates while preserving adult access to natural leaf.

WHERE TO GET THE OFFICIAL TEXT

Request the adopted text of Resolution 2026136 (2026 session) from the Clerk of the Dutchess County Legislature. The Legislature's news release on the measure is posted at dutchessny.gov under County Legislature news releases for 2026, and adopted resolutions are searchable through the county's public access viewer at apps.dutchessny.gov. Named sponsors of the measure were Legislators Valdés Smith, Atkins, Munn and Kaul.

A copy of the filed text is enclosed with this packet. It is provided for convenience only. For any provision your counsel intends to rely on or adapt, obtain the certified copy from the Dutchess County Clerk of the Legislature.

WHY IT IS OFFERED HERE

Albany County's Emergency Public Health Order No. 1 of 2026 cites the Dutchess measure by name, describing it as prohibiting high-potency 7-OH concentrates while preserving natural leaf, and Section 7(3) of that Order asks the Albany County Legislature to consider local legislation on the subject. Resolution 2026136 is a working New York county model for that legislation: drafted by a county attorney, reviewed in committee, adopted by a county legislature, and aligned with the thresholds the State Legislature passed in June and the line the DEA drew in July. Having an adopted New York text in front of counsel should shorten the drafting work.

Disclosure. Prepared by Scott Urbin, owner of Hudson Valley Botanicals LLC of Poughkeepsie, New York. I sell kratom leaf products in New York and I have a commercial interest in how this is resolved. This sheet is a summary written by an interested party and is not legal advice or an official document of Dutchess County.