



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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PROPOSED SUBSTITUTE TEXT | LOCAL LAW T-4 OF 2026

Submitted September 2026 to County Executive Steven F. McLaughlin by Scott Urbin, owner, Hudson Valley Botanicals LLC, Poughkeepsie, NY

SUMMARY

The substitute keeps every enforcement provision of Local Law T-4 as adopted on September 8, 2026, and aims them at concentrated and synthetic 7-hydroxymitragynine products instead of at the plant. That is the line drawn this year by the DEA in its July scheduling action, by the State Legislature in S8925-A, and by Dutchess County in Resolution 2026136, adopted August 10, 2026. Five changes to the adopted text accomplish it.

CHANGES TO THE ADOPTED TEXT

1. Section 3. The definition of “Kratom” is replaced with the following:

“Kratom” shall mean any product, in any form, that (a) contains 7-hydroxymitragynine at a concentration greater than two percent of the total alkaloid content of the product, or in an amount greater than one milligram per serving; or (b) contains 7-hydroxymitragynine, mitragynine pseudoindoxyl, or any analog or derivative thereof that has been synthesized, semi-synthesized, or isolated and added to the product. The term does not include the dried or powdered leaf of the plant *Mitragyna speciosa*, or a product made from such leaf, that does not meet paragraph (a) or (b) and is sold in compliance with the laws of the State of New York.

2. Section 3. The definition of “Product derived from *Mitragyna speciosa* leaves” is deleted.

3. Section 4. The following sentence is added at the end:

A sale or distribution is deemed to occur in Rensselaer County when Kratom is sold, shipped, or delivered to any address within the County, whether or not the Person selling or distributing it is located within the County, and including any sale made through an online platform.

4. New Section 7-A, Void Upon State Action.

This Local Law shall be null and void on the date that statewide legislation containing the same or substantially similar provisions takes effect, or on the date that any provision hereof is preempted by state or federal law.

5. Section 8. “upon its filing with” is replaced with “thirty days after its filing with,” so that retailers holding lawful inventory have a sell-through period.

All other sections, including inspection, confiscation, the per-item penalties, and referral under Public Health Law § 12-b, are unchanged and apply in full to any product meeting the definition in paragraph 1.

SOURCES

Drug Enforcement Administration, scheduling action on 7-hydroxymitragynine products, July 2026.

New York State Senate Bill S8925-A, passed 61 to 0 in the Senate and unanimously in the Assembly, Senator Ashby co-sponsoring, awaiting the Governor’s signature.

Dutchess County Resolution 2026136, adopted August 10, 2026, enclosed separately.