



HUDSON VALLEY BOTANICALS

Poughkeepsie, New York | Established 2017

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PROPOSED AMENDMENT | RENSSELAER COUNTY LOCAL LAW T-4 OF 2026

Prepared October 2026 by Scott Urbin, owner, Hudson Valley Botanicals LLC, for members of the Rensselaer County Legislature. T-4 was adopted September 8, 2026 and signed by the County Executive in October.

SUMMARY

The amendment keeps T-4's inspection, confiscation and penalty provisions and aims them at concentrated and synthetic 7-hydroxymitragynine (7-OH) products instead of the plant. That is the line drawn this year by the State Legislature in S8925-A, by the DEA in its July action on 7-OH, and by Dutchess County in Local Law No. 6 of 2026. The amendment also reaches sellers who ship into the county, which the adopted text does not, and retires the law once a state law covering the same ground takes effect.

CHANGES TO THE ADOPTED TEXT

1. Section 3. Replace the definition of "Kratom" 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 pseudoinoxyl, 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. Delete the definition of "Product derived from *Mitragyna speciosa* leaves."

3. Section 4. Add the following sentence 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. Sections 1 and 2. Add Municipal Home Rule Law § 10(1)(ii)(a)(12) to the authority in Section 1, as Dutchess County's law does, and correct "Federal Drug Administration" to "Food and Drug Administration" in Section 2.

All other sections, including inspection, confiscation, the per-item penalties, and referral under Public Health Law § 12-b, stay as adopted and apply in full to any product meeting the new definition.

SOURCES

New York State Senate, S8925-A of 2026, passed 61 to 0 in the Senate on June 2 and 132 to 0 in the Assembly on June 5; not yet delivered to the Governor: <https://www.nysenate.gov/legislation/bills/2025/S8925/amendment/A>

Drug Enforcement Administration, July 1, 2026 press release on 7-OH:

<https://www.dea.gov/press-releases/2026/07/01/dea-temporarily-schedule-7-oh-and-related-substances-protect-public>

Dutchess County Local Law No. 6 of 2026 (introduced as Resolution No. 2026136), text enclosed separately.

Disclosure. Prepared by Scott Urbin, owner of Hudson Valley Botanicals LLC. I sell kratom leaf products in New York and have a financial interest in how this is resolved. This outline is not legal advice or an official document of Rensselaer County.