

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

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BILL #: [CS/HB 309](#)

TITLE: Controlled Substances

SPONSOR(S): Bankson and Plakon

COMPANION BILL: [SB 432](#) (Yarborough)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

15 Y, 1 N, As CS

[Justice Budget](#)

[Judiciary](#)

SUMMARY

Effect of the Bill:

The bill adds 7-Hydroxymitragynine (7-OH) concentrated at a level above 400 parts per million on a dry-weight basis to the list of Schedule I controlled substances in Florida, thereby prohibiting the possession, sale, manufacture, and delivery of such 7-OH. The bill also creates new criminal offenses relating to xylazine and exempts specified xylazine animal drug products from being classified as a Schedule I controlled substance, as long as such products are not for human use. Specifically, the bill:

- Prohibits a person from selling, manufacturing, delivering, or possessing with the intent to sell, manufacture, or deliver, specified forms of xylazine that resemble a food product or contain other specified markings, as a first degree felony, and requires a three-year mandatory minimum term of imprisonment.
- Creates a new offense for trafficking in xylazine and prohibits a person from knowingly selling, purchasing, manufacturing, delivering, or bringing into this state, or knowingly being in actual or constructive possession of, 28 grams or more of xylazine, as a first degree felony, and requires mandatory minimum terms of imprisonment and fines, the length and amount of which vary depending upon the amount of xylazine involved in the offense.

Fiscal or Economic Impact:

The bill may have an indeterminate positive impact on the prison bed population by creating first degree felony offenses related to xylazine and requiring offenders convicted of such offenses to be sentenced to mandatory minimum terms of imprisonment, and by adding 7-OH in a specified form to the list of Schedule I controlled substances, which makes possessing, selling, manufacturing, or delivering such 7-OH a felony offense.

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ANALYSIS

EFFECT OF THE BILL:

7-OH

The bill adds [7-Hydroxymitragynine \(7-OH\)](#), a substance that naturally occurs at low concentrations in the [kratom](#) plant, concentrated at a level above 400 parts per million on a dry-weight basis, to the list of Schedule I [controlled substances](#) in Florida, thereby prohibiting the possession, sale, manufacture, and delivery of such 7-OH. (Section [1](#))

Xylazine

The bill creates a first degree felony for [selling, manufacturing, delivering, or possessing with the intent to sell, manufacture, or deliver, xylazine](#), a xylazine analog, or a mixture containing xylazine, when such substance or mixture is in a form that resembles, or is mixed, granulated, absorbed, spray-dried, or aerosolized as or onto, coated on, in whole or in part, or solubilized with or into, a product, when such product or its packaging further has at least one of the following attributes:

- Resembles the trade dress of a branded food product, consumer food product, or logo food product;
- Incorporates an actual or fake registered copyright, service mark, or trademark;

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- Resembles candy, cereal, a gummy, a vitamin, or a chewable product, such as a gum or gelatin-based product; or
- Contains a cartoon character imprint.

The bill requires an offender convicted of such an offense to be sentenced to a three-year mandatory minimum term of imprisonment. (Section [2](#))

The bill also creates a first degree felony for [trafficking](#) in xylazine if a person knowingly sells, purchases, manufactures, delivers, or brings into this state, or is knowingly in actual or constructive possession of, 28 grams or more of xylazine or any mixture containing xylazine. The bill requires an offender convicted of trafficking in xylazine to be sentenced to a mandatory minimum term of imprisonment and fine, the length and amount of which varies depending on the amount of xylazine involved in the offense, as follows:

- 3 year mandatory minimum sentence, and a \$50,000 fine, if the amount is 28 grams or more, but less than 100 grams.
- 7 year mandatory minimum sentence, and a \$100,000 fine, if the amount is 100 grams or more, but less than 200 grams.
- 25 year mandatory minimum sentence, and a \$500,000 fine, if the amount is 200 grams or more. (Section [4](#))

The bill also excepts from the list of Schedule I controlled substances xylazine animal drug products that are approved by the United States Food and Drug Administration and the use of which conforms to the approved application or is authorized under [21 U.S.C. s. 360b\(a\)\(4\)](#), a federal law relating to animal drug products. The bill specifies that the manufacture, importation, distribution, prescribing, or sale of xylazine for human use is not subject to this exception. (Section [1](#))

The effective date of Section 1 of the bill is July 1, 2026. (Section [1](#))

The effective date of Sections 2, 3, and 4 of the bill is October 1, 2026. (Section [5](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an indeterminate positive impact on the prison bed population by creating new first degree felony offenses related to xylazine and requiring offenders convicted of such offenses to be sentenced to mandatory minimum terms of imprisonment, and by adding 7-OH in a specified form to the list of Schedule I controlled substances, which would create felony offenses related to possessing, selling, manufacturing, or delivering of such 7-OH.

PRIVATE SECTOR:

The bill may have an indeterminate negative impact on private businesses that sold products containing 7-OH prior to the issuance of the Florida Attorney General's Emergency Rule. Under the bill, such businesses may continue to experience reduced profits associated with the continued prohibition on selling specified forms of 7-OH or 7-OH products.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Controlled Substances](#)

Chapter 893, F.S., the Florida Comprehensive Drug Abuse Prevention and Control Act, classifies controlled substances¹ into five categories, called schedules. These schedules regulate the manufacture, distribution, preparation, and dispensing of the substances listed therein. The distinguishing factors between the different controlled substance schedules are the “potential for abuse”² of the substance and whether there is a currently accepted medical use for the substance.³

The controlled substance schedules are as follows:

- Schedule I substances have a high potential for abuse and currently have no accepted medical use in the United States and their use under medical supervision does not meet accepted safety standards.⁴
- Schedule II substances have a high potential for abuse and have a currently accepted but severely restricted medical use in the United States, and abuse of the substance may lead to severe psychological or physical dependence.⁵
- Schedule III substances have a potential for abuse less than the substances contained in Schedules I and II and have a currently accepted medical use in the United States, and the abuse of the substance may lead to moderate or low physical dependence or high psychological dependence, or in the case of anabolic steroids, may lead to physical damage.⁶
- Schedule IV substances have a low potential for abuse relative to substances in Schedule III and have a currently accepted medical use in the United States, and abuse of the substance may lead to limited physical or psychological dependence relative to the substances in Schedule III.⁷
- Schedule V substances, compounds, mixtures, or preparation of substances have a low potential for abuse relative to the substances in Schedule IV and have a currently accepted medical use in the United States, and abuse of such compound, mixture, or preparation may lead to limited physical or psychological dependence relative to the substances in Schedule IV.⁸

Attorney General Emergency Scheduling Authority

The Legislature has delegated to the Florida Attorney General the authority to adopt rules to add a substance to a schedule established under [s. 893.03, F.S.](#), or transfer a substance between schedules, if the substance has the potential for abuse and meets other classification requirements, or to remove a substance previously added to a schedule if it no longer meets the requirements for inclusion in that schedule.⁹ Proof of potential for abuse can be based upon a showing that these activities are already taking place, or upon a showing that the nature and properties of the substance make it reasonable to assume that there is a substantial likelihood that such activities will take place, in other than isolated or occasional instances.¹⁰ Any findings and conclusions provided by the U.S. Attorney General with respect to any substance is admissible as evidence in any rulemaking proceeding, including an emergency rulemaking proceeding.¹¹

¹ “Controlled substance” means any substance named or described in Schedules I-V of [s. 893.03, F.S.](#) [S. 893.02\(4\), F.S.](#)

² “Potential for abuse” means that a substance has properties of a central nervous system stimulant or depressant or a hallucinogen that create a substantial likelihood of its being: 1) used in amounts that create a hazard to the user’s health or safety of the community; 2) diverted from legal channels and distributed through illegal channels; or 3) taken on the user’s own initiative rather than on the basis of professional medical advice. [S. 893.02\(22\), F.S.](#)

³ [S. 893.03, F.S.](#)

⁴ [S. 893.03\(1\), F.S.](#)

⁵ [S. 893.03\(2\), F.S.](#)

⁶ [S. 893.03\(3\), F.S.](#)

⁷ [S. 893.03\(4\), F.S.](#)

⁸ [S. 893.03\(5\), F.S.](#)

⁹ [S. 893.035\(2\), F.S.](#) “Potential for abuse” has the same meaning as provided in [s. 893.02\(22\), F.S.](#)

¹⁰ [S. 893.035\(3\)\(a\), F.S.](#)

¹¹ *Id.*

If the Attorney General finds that the scheduling of a substance in Schedule I of [s. 893.03, F.S.](#), on a temporary basis is necessary to avoid an imminent hazard to public safety, he or she may by rule¹² schedule such substance in Schedule I if the substance is not listed in any other schedule of [s. 893.03, F.S.](#) The Attorney General must consider, with respect to his or her finding of imminent hazard to public safety, only:

- The substance’s potential for abuse.¹³
- The substance’s history and current pattern of abuse.
- The scope, duration, and significance of abuse.
- What, if any, risk there is to the public health.¹⁴
- Diversion from legitimate channels, if any.
- Clandestine importation, manufacture, or distribution.¹⁵

The Attorney General must provide specific facts and reasons for finding an immediate danger to the public health, safety, or welfare.¹⁶ The Attorney General must report to the Legislature by March 1 of each year concerning any rules adopted to schedule or reschedule any substance during the previous year. Each such rule expires on the following June 30 unless the Legislature adopts the provisions in statute.¹⁷

The Legislature has also delegated the authority to the Attorney General to, in part, adopt rules rescheduling specified substances to a less controlled schedule, or deleting specified substances from a schedule, upon a finding that reduced control of such substances is in the public interest.¹⁸ In determining whether reduced control of a substance is in the public interest, the Attorney General must consider the following:

- Whether the substance has been rescheduled or deleted from any schedule by rule adopted by the United States Attorney General pursuant to s. 201 of the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. s. 811.
- The substance’s actual or relative potential for abuse.
- Scientific evidence of the substance’s pharmacological effect, if known.
- The state of current scientific knowledge regarding the substance.
- The substance’s history and current pattern of abuse.
- The scope, duration, and significance of abuse.
- What, if any, risk there is to the public health.
- The substance’s psychic or physiological dependence liability.¹⁹

[Kratom](#)

Kratom is a tree native to parts of Southeast Asia and related to the coffee plant.²⁰ The leaves of kratom trees act as a stimulant and provide sedative effects due to two compounds, mitragynine and 7-OH.²¹ Kratom’s medical uses include treating headaches, diarrhea, insomnia, anxiety, and opioid use withdrawal, and its recreational uses are associated with feelings of euphoria. However, some kratom products intended for sale in the United States contain

¹² In an emergency rulemaking proceeding, the Attorney General may proceed without regard to the requirements to request a medical and scientific evaluation of the substance from and consider recommendations regarding scheduling from the Department of Health and the Department of Law Enforcement. [S. 893.035\(5\)](#) and [\(7\), F.S.](#)

¹³ [S. 893.035\(3\)\(a\), F.S.](#)

¹⁴ [S. 893.035\(4\)\(d-f\), F.S.](#)

¹⁵ [S. 893.035\(7\), F.S.](#)

¹⁶ [S. 120.54\(4\)\(a\)3., F.S.](#)

¹⁷ [S. 893.035\(9\), F.S.](#) This expiration provision is notwithstanding the 90-day expiration described in [s. 120.54\(4\)\(c\), F.S.](#)

¹⁸ [S. 893.0355, F.S.](#)

¹⁹ *Id.*

²⁰ Congressional Research Service, *Kratom Regulation: Federal Status and State Approaches* (Nov. 28, 2023) <https://www.congress.gov/crs-product/LSB11082> (last visited Jan. 20, 2026).

²¹ *Id.*

dangerous contaminants, and concentrated forms of 7-OH are more potent.²² In 2023, the Legislature passed the Florida Kratom Consumer Protection Act²³ and made it unlawful to sell, deliver, barter, furnish, or give, directly or indirectly, any kratom product to a person who is under 21 years of age, punishable as a second degree misdemeanor.²⁴

[7-Hydroxymitragynine \(7-OH\)](#)

The FDA has noted that although 7-OH is a naturally occurring substance in the kratom plant, its enhanced or concentrated form “produces respiratory depression, physical dependence, and withdrawal symptoms characteristic of classical opioids, such as morphine, fentanyl, oxycodone, and hydrocodone.”²⁵ Furthermore, the average cost per recommended dose of 7-OH is approximately \$4, and “there are...a concerning and increasing number of products being sold that have unexpectedly and unnaturally high levels of 7-OH.”²⁶ The FDA concluded that “[the] public health threat [of 7-OH] is troubling and requires immediate and impactful policies to educate consumers and take regulatory action that limits access to 7-OH containing products.”²⁷ The FDA is working with the United States Drug Enforcement Administration (DEA) to add certain 7-OH products to the federal controlled substances schedule and has issued warning letters to firms marketing products containing 7-OH.^{28,29}

Florida Attorney General 7-OH Regulation

On August 13, 2025, Florida’s Attorney General issued Emergency Rule 2ER25-2, temporarily scheduling 7-Hydroxymitragynine concentrated at a level above 400 parts per million on a dry-weight basis as a Schedule I controlled substance, concluding that 7-OH “is a dangerous substance not only because of its chemical makeup, high potency and risk of addiction, but also due to the marketing and accessibility of the product.”³⁰ The Attorney General’s designation does not apply to mitragynine, another compound present in kratom.^{31,32}

Prior to the issuance of Emergency Rule 2ER25-2, 7-OH was sold by some private businesses, including gas stations and other convenience stores. The Emergency Rule currently classifies 7-OH as a Schedule I controlled substance, prohibiting its sale or distribution by such private businesses.

Emergency Rule 2ER25-2 and the temporary scheduling of 7-OH will expire on June 30, 2026.³³

²² FDA, *7-Hydroxymitragynine (7-OH): An Assessment of the Scientific Data and Toxicological Concerns Around an Emerging Opioid Threat*, <https://www.fda.gov/media/187899/download?attachment> (last visited Jan. 20, 2026). See also *supra* note 20.

²³ [S. 500.92, F.S.](#) The term “kratom product” means a food product, food ingredient, dietary ingredient, dietary supplement, or beverage intended for human consumption which contains any part of the leaf of the plant *Mitragyna speciosa* or an extract, synthetic alkaloid, or synthetically derived compound of such plant and is manufactured as a powder, capsule, pill, beverage, or other edible form.

²⁴ A second degree misdemeanor is punishable by up to 60 days in county jail and a \$500 fine. [Ss. 775.082](#) and [775.083, F.S.](#)

²⁵ *Supra* note 22.

²⁶ *Id.*

²⁷ *Id.*

²⁸ FDA, *Letter to Health Care Professionals* (July 29, 2025) <https://www.fda.gov/media/187898/download?attachment> (last visited Jan. 20, 2026).

²⁹ FDA, *FDA Issues Warning Letters to Firms Marketing Products Containing 7-Hydroxymitragynine* (July 15, 2025) <https://www.fda.gov/news-events/press-announcements/fda-issues-warning-letters-firms-marketing-products-containing-7-hydroxymitragynine> (last visited Jan. 20, 2026).

³⁰ Office of the Attorney General, *Attorney General James Uthmeier Files Emergency Rule; Immediately Removing Dangerous 7-OH from Store Shelves* (Aug. 13, 2025) <https://www.myfloridalegal.com/newsrelease/attorney-general-james-uthmeier-files-emergency-rule-immediately-removing-dangerous-7> (last visited Jan. 20, 2026).

³¹ See *Attorney General Emergency Rule 2ER25-2*, <https://www.myfloridalegal.com/sites/default/files/2025-09/2er25-2.pdf> (last visited Jan. 20, 2026).

³² Several states have either banned kratom, or passed or introduced kratom related consumer protection acts similar to Florida’s. See Verisk, *Kratom Consumer Protection Act and Litigation* (Mar. 19, 2025) <https://core.verisk.com/Insights/Emerging-Issues/Articles/2025/March/Week-3/Kratom-Consumer-Protection-Act-and-Litigation> (last visited Jan. 20, 2026).

³³ *Supra* note 17.

Xylazine

The United States Food and Drug Administration (FDA) approved xylazine for use with animals in 1972.³⁴ Under [21 U.S.C. s. 360b\(a\)\(4\)](#), the Secretary of Health and Human Services (Secretary) can exempt an animal drug from specified requirements if its use is by or on the lawful written or oral order of a licensed veterinarian within the context of a veterinarian-client-patient relationship and in compliance with regulations promulgated by the Secretary. Current regulations include the special consideration that federal law restricts xylazine to use by or on the order of a licensed veterinarian.³⁵

When administered to horses and cattle, xylazine sedates the animal so that a veterinarian can safely provide treatment.³⁶ When used by humans, however, xylazine, or “tranq,” causes sedation, difficulty breathing, low blood pressure, slowed heart rate, infected wounds, and even death.³⁷ It is especially dangerous when combined with opioids like fentanyl but is not an opioid itself, so medications that counteract opioids do not reverse xylazine’s effects.³⁸

In 2016, the Florida Legislature classified xylazine as a Schedule I controlled substance under [s. 893.03\(1\)\(c\)37, F.S.](#)³⁹ However, although xylazine is still only FDA-approved for use with animals, it is not a federal controlled substance.⁴⁰ Thus, while the FDA has repeatedly warned against xylazine use in humans and restricted its unlawful import, xylazine possession is not subject to federal criminal penalties.^{41,42} As recently as 2022, the DEA reported that “[a] kilogram of xylazine powder can be purchased online from Chinese suppliers with common prices ranging from six to 20 dollars per kilogram.”⁴³

Florida Attorney General Xylazine Regulation

In August 2025, the Florida Attorney General filed to reclassify xylazine from a Schedule I to a Schedule I controlled substance with an exemption for veterinary use and “[strike] a balance between protecting public safety and ensuring Florida’s agriculture and veterinary communities can continue to access this critical medication for animal care.”⁴⁴ Under this new classification:

- Only licensed veterinarians may obtain and dispense xylazine in the course of their professional practice;
- Farmers and ranchers may receive xylazine prescriptions only through a veterinarian for legitimate livestock care;
- Public sale or possession remains illegal and misuse outside of veterinary practice is a crime; and
- Enhanced scheduling allows law enforcement and regulators to track distribution, prevent diversion, and keep xylazine out of illicit markets.⁴⁵

³⁴ FDA, *What We’re Doing to Stop Illicit Xylazine from Getting into the U.S.* (July 11, 2023) <https://www.fda.gov/animal-veterinary/news-events/what-were-doing-stop-illicit-xylazine-getting-us> (last visited Jan. 20, 2026).

³⁵ 21 CFR 522.2662.

³⁶ *Supra* note 35.

³⁷ Center for Disease Control, *What You Should Know About Xylazine* (May 16, 2024) <https://www.cdc.gov/overdose-prevention/about/what-you-should-know-about-xylazine.html> (last visited Jan. 20, 2026).

³⁸ *Id.*

³⁹ Ch. 2016-105, Laws of Fla.

⁴⁰ 21 U.S. Code § 812.

⁴¹ FDA, *FDA Takes Action to Restrict Unlawful Import of Xylazine* (Feb. 28, 2023) <https://www.fda.gov/news-events/press-announcements/fda-takes-action-restrict-unlawful-import-xylazine> (last visited Jan. 20, 2026).

⁴² FDA, *FDA Warns About the Risk of Xylazine Exposure in Humans* (Nov. 8, 2022) <https://www.fda.gov/media/162981/download?attachment> (last visited Jan. 20, 2026).

⁴³ DEA, *The Growing Threat of Xylazine and its Mixture with Illicit Drugs* (Oct. 2022) https://www.dea.gov/sites/default/files/2022-12/The_Growing_Threat_of_Xylazine_and_its_Mixture_with_Illicit_Drugs.pdf (last visited Jan. 20, 2026).

⁴⁴ Office of the Attorney General, *Attorney General James Uthmeier Files to Provide Exemption for Xylazine to Support Veterinary Use and Combat Illicit Abuse* (Aug. 27, 2025) <https://www.myfloridalegal.com/newsrelease/attorney-general-james-uthmeier-files-provide-exemption-xylazine-support-veterinary-use> (last visited Jan. 20, 2026).

⁴⁵ *Id.*

Offenses Related to Xylazine and Fentanyl

Possession of a Controlled Substance

Under [s. 893.13\(6\)\(a\), F.S.](#), a person may not be in actual or constructive possession of a controlled substance unless such controlled substance was:

- Lawfully obtained from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or
- Otherwise authorized under chapter 893, F.S.

A person who unlawfully possesses specified controlled substances, including xylazine and fentanyl, commits a third degree felony.⁴⁶

Possession of a Controlled Substance with Specified Intent

Under [s. 893.13\(1\)\(a\), F.S.](#), a person may not sell, manufacture, or deliver, or possess with the intent to sell, manufacture, or deliver, a controlled substance, except as authorized by and chapters 499 or 893, F.S. A person who sells or unlawfully possesses xylazine with the intent to sell commits a third degree felony,⁴⁷ while a person who sells or unlawfully possesses fentanyl with the intent to sell commits a second degree felony.^{48, 49}

Possession of a Controlled Substance with Specified Attributes

Under [s. 893.13\(1\)\(i\), F.S.](#), a person commits a first degree felony⁵⁰ and must be sentenced to a mandatory minimum term of imprisonment of three years if he or she sells, manufactures, or delivers, or possesses with the intent to sell, manufacture, or deliver:

- Alfentanil, carfentanil, fentanyl, sufentanil, a fentanyl derivative, a specified fentanyl analog,⁵¹ or a mixture containing any such substance; and
- The substance or mixture is in a form that resembles, or is mixed, granulated, absorbed, spray-dried, or aerosolized as or onto, coated on, in whole or in part, or solubilized with or into, a product, when such product or its packaging further has at least one of the following attributes:
 - Resembles the trade dress of a branded food product, consumer food product, or logo food product;
 - Incorporates an actual or fake registered copyright, service mark, or trademark;
 - Resembles candy, cereal, a gummy, a vitamin, or a chewable product, such as a gum or gelatin-based product; or
 - Contains a cartoon character imprint.

There is currently no offense for selling, or possessing with the intent to sell, xylazine with specified attributes.

Trafficking in a Controlled Substance

Under [s. 893.135\(1\)\(c\)4., F.S.](#), a person commits a first degree felony of “trafficking in dangerous fentanyl or fentanyl analogues,” if he or she knowingly sells, purchases, manufactures, delivers, or brings into this state, or is knowingly in actual or constructive possession of, 4 grams or more of:

⁴⁶ A third degree felony is punishable by up to five years in prison and a \$5,000 fine. [Ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.](#)

⁴⁷ The unlawful possession of a controlled substance under [s. 893.03\(1\)\(c\), F.S.](#), with specified intent, is a third degree felony. [S. 893.13\(1\)\(a\)2., F.S.](#)

⁴⁸ The unlawful possession of a controlled substance under [s. 893.03\(2\)\(b\), F.S.](#), with specified intent, is a second degree felony. [S. 893.13\(1\)\(a\)1., F.S.](#)

⁴⁹ A second degree felony is punishable by up to 15 years in prison and a \$10,000 fine. [Ss. 775.082, F.S., 775.083, F.S., or 775.084, F.S.](#)

⁵⁰ A first degree felony is punishable by up to 30 years in prison and a \$10,000 fine. [Ss. 775.082, 775.083, or 775.084, F.S.](#)

⁵¹ Under [s. 893.0356\(2\)\(a\), F.S.](#), a “controlled substance analog” means a substance which, due to its chemical structure and potential for abuse, meets the following criteria:

1. Is substantially similar to that of a controlled substance listed in Schedule I or Schedule II of [s. 893.03, F.S.](#); and
2. Has a stimulant, depressant, or hallucinogenic effect on the central nervous system or is represented or intended to have a stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than that of a controlled substance listed in Schedule I or Schedule II of [s. 893.03, F.S.](#)

- Alfentanil;
- Carfentanil;
- Fentanyl;
- Sufentanil;
- A fentanyl derivative;
- A controlled substance analog of any substance described above; or
- A mixture containing any substance described above.

A person convicted of trafficking in dangerous fentanyl or fentanyl analogues must be sentenced to a mandatory minimum term of imprisonment and fine, the length and amount of which varies depending on the amount of fentanyl or fentanyl analogues involved in the offense, as follows:

- 7 year mandatory minimum sentence, and a \$50,000 fine, if the amount is 4 grams or more, but less than 14 grams.
- 20 year mandatory minimum sentence, and a \$100,000 fine, if the amount is 14 grams or more, but less than 28 grams.
- 25 year mandatory minimum sentence, and a \$500,000 fine, if the amount is 28 grams or more.

There is currently no offense for trafficking in xylazine.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	CS/HB 57 - Regulation of Xylazine	Plakon, Bankson/ <i>Leek</i>	The bill passed the House, was passed by the Senate as amended, and died in Returning Messages.

OTHER RESOURCES:

[FDA Takes Steps to Restrict 7-OH Opioid Products Threatening American Consumers | HHS.gov](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	15 Y, 1 N, As CS	1/20/2026	Hall	Butcher
THE CHANGES ADOPTED BY THE COMMITTEE:	Made a technical change by listing 7-OH by its full pharmacological name, 7-Hydroxymitragynine (methyl (E)-2-[(2S,3S,7aS,12bS)-3-ethyl-7a-hydroxy-8-methoxy-2,3,4,6,7,12b-hexahydro-1H-indolo[2,3-a]quinolizin-2-yl]-3-methoxyprop-2-enoate) in Schedule I.			
Justice Budget Subcommittee				
Judiciary Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
