Local Laws

LL 1 of 2026	**A LOCAL LAW OF THE COUNTY OF RENSSELAER PROHIBITING THE SALE OR DISTRIBUTION OF KRATOM IN RENSSELAER COUNTY**

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

NEW YORK STATE | **Department of State**
Corporations, State Records & UCC

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

1 **of the year 20** 26

Local Law Title: A LOCAL LAW OF THE COUNTY OF RENSSELAER PROHIBITING THE SALE OR DISTRIBUTION OF KRATOM IN RENSSELAER COUNTY

Be it enacted by the County Legislature **of the**
(Name of Legislative Body)

☑ **County** ☐ **City** ☐ **Town** ☐ **Village**
(Select one)

of Rensselaer **as follows on the attached pages:**
(Name of Local Government)

For Office Use Only

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OCT 14 2026
DEPARTMENT OF STATE

Department of State Local Law Index Number: 1 **of the year 20** 26

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, New York 12231-0001
www.dos.state.ny.us/corps

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County of Rensselaer

Local Law No. 1 **of the year** 2026

A local law of the County of Rensselaer Prohibiting the Sale or Distribution of Kratom in Rensselaer County

By: Patire, Hoffman, Loveridge, Film, Choquette, Bayly, Grant, Casale, Herrington, Maloney and Wysocki

Be it enacted by the County Legislature *(Name of Legislative Body)* **of the**

County of Rensselaer **as follows:**

SECTION 1. AUTHORITY

The County Legislature adopts this Local Law pursuant to the New York State Constitution Article IX.

SECTION 2. LEGISLATIVE PURPOSE AND INTENT

The opioid-like plant Mitragyna speciosa, and parts thereof, are commonly known as "Kratom." Kratom can be consumed in several forms, including as a tea, powder, or pill. The Federal Drug Administration (FDA) has warned of Kratom use due to risks of serious adverse effects and has issued an alert on consuming dietary supplements and ingredients that contain Kratom. The FDA has found that Kratom has a high potential for abuse, and poses an imminent hazard to public health, safety, and welfare.

This Local Law prohibits the sale of Kratom in Rensselaer County and authorizes Rensselaer County Health Department officials and law enforcement agencies to conduct regulatory inspections of entities suspected of Kratom sale, and to pursue enforcement remedies against such entities as is necessary to protect the public health, safety, and welfare, and to promote the public good.

SECTION 3. DEFINITIONS

For the purposes of this Local Law, the following terms shall mean:

"Kratom" shall mean the plant Mitragyna speciosa, and parts thereof, as well as products containing mytragynine, and the products derived from Mitragyna speciosa leaves, and any synthetic derivations thereof.

"Person" shall mean any individual, company, partnership, corporation, limited partnership, joint venture or other legal entity.

"Product derived from Mitragyna speciosa leaves" shall mean any substance created directly from Kratom, or its naturally occurring alkaloids, through extraction, isolation, concentration, chemical conversion, synthesis, or modification, and any synthetic derivations thereof.

"Retailer" shall mean any Person that sells, offers for sale, or maintains Kratom products.

SECTION 4. SALE PROHIBITED

It is prohibited to distribute or sell Kratom in Rensselaer County. This prohibition does not apply to the sale or distribution of FDA-approved Kratom and/or Kratom dispensed by a licensed pharmacist consistent with a prescription from a licensed physician.

SECTION 5. INSPECTION AND ENFORCEMENT

The Rensselaer County Public Health Department and all law enforcement agencies having jurisdiction in Rensselaer County are hereby authorized to enforce the provisions of this Local Law, including the ability to conduct regulatory inspections and compliance checks of any suspected Retailer within the County of Rensselaer and any vehicle used by such Retailer. Such compliance checks and regulatory inspections may occur during routine facility checks, pursuant to a complaint, or as part of a criminal investigation.

If Kratom is found during a compliance check, inspection, or criminal investigation, it shall be immediately confiscated. One year after a finding of a violation of this Local Law, such confiscated Kratom shall be destroyed.

SECTION 6. PENALTIES

Any Person that violates the terms of this Local Law shall receive a notice of violation from the Rensselaer County Health Department setting forth the charge(s), the total amount of Kratom confiscated, maximum civil penalty, related surcharges and hearing date.

Any Person that engages in the unlawful distribution or sale of Kratom shall be subject to a civil penalty of not more than five hundred dollars ($500.00) per item confiscated.

Each subsequent violation of this Local Law shall be subject to a civil penalty of not more than one thousand dollars ($1,000.00) per item confiscated.

Willful violation of this Local Law may result in criminal prosecution under New York State Public Health Law §12-b.

SECTION 7. VALIDITY AND SEVERABILITY

Should any word, section, clause, paragraph, sentence, part, or provision of this Local Law be declared invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

SECTION 8. EFFECTIVE DATE

This Local Law shall take effect upon its filing with the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Prior to the vote a motion was made by Legislator Zalewski, with a second by Legislator Sabo, to Table this Local Law.

Motion to Table FAILED by the following Roll Call Vote:
Ayes: 7
Nays: 10 (Hoffman, Bayly, Casale, Choquette, Film, Grant, Herrington, Maloney, Patire, Wysocki)
Abstain: 0

Priot to the vote a motion was made by Legislator Zalewski, with a second by Legislator Sabo, to amend the Local Law as follows:

Insert "and such local law shall be deemed superceded by a duly adopted law of the State of New York the preempts this matter" into Section 8.

Motion to Amend FAILED by the following Roll Call Vote:
Ayes: 3
Nays: 14 (Hoffman, Bayly, Casale, Choquette, Film, Fleming, Galuski, Grant, Herrington, Maloney, Patire, Rutecki, Weaver, Wysocki)
Abstain: 0

Local Law ADOPTED by the following Roll Call vote:
Ayes: 15
Nays: 2 (Sabo, Zalewski)
Abstain: 0
September 8, 2026

Approved by the County Executive:

Dated: October 13, 2026

Steven F. McLaughlin
County Executive

NEW YORK STATE | **Department of State**
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Local Law Filing Instructions

PLEASE FOLLOW THESE INSTRUCTIONS WHEN FILING LOCAL LAWS IN THE OFFICE OF THE SECRETARY OF STATE

1. Each local law shall be filed in the office of the Secretary of State within 20 days after its final adoption or approval as required by section 27 of the Municipal Home Rule Law. The cited statute provides that a local law shall not become effective before it is filed in the office of the Secretary of State.

2. Each local law to be filed shall be an original certified copy.

3. Each local law shall be filed on a form provided by the Department of State. Copies of the local law text must be attached to the form. Only legible copies will be accepted.

4. Submit only the local law form and the text of the local law.

5. In the case of a local law amending a previously enacted local law, the text must be that of the law as amended. Do not include any matter in brackets, with a line through it, italicized or underscored to indicate the changes made. The printed introductory bill number for the proposed local law and explanatory matter must be omitted.

6. The date of filing of a local law is the date on which the local law is placed on file by the Department of State. The Department of State will assign a local law number for indexing purposes. The Department of State's Index Number for a local law may be different from the local law number ascribed by the legislative body of the local government.

   It is suggested that municipalities use introductory identifying bill numbers for proposed local laws. After the local law is enacted (and approved by the voters, if required), the local law should then be numbered and submitted to the Department of State for filing.

7. Each copy of a local law filed in the office of the Secretary of State shall have affixed to it a certification by the Clerk of legislative body or other officer designated by the local legislative body. Please complete the appropriate certification on the Department's local law filing form.

8. A copy of each local law may be mailed or delivered to:

   NYS Department of State
   State Records Unit
   One Commerce Plaza, 99 Washington Avenue
   Albany, NY 12231.

(DO NOT FILE THIS INSTRUCTION SHEET WITH THE LOCAL LAW)