

REFERENCE TITLE: kratom products; narcotic drugs

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

# HB 2415

Introduced by  
Representative Nguyen: Senator Carroll

AN ACT

AMENDING SECTIONS 13-3401 AND 36-795, ARIZONA REVISED STATUTES; REPEALING SECTION 36-795.01, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 6, ARTICLE 10, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 36-795.01; AMENDING SECTIONS 36-795.02 AND 36-795.03, ARIZONA REVISED STATUTES; RELATING TO KRATOM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3401, Arizona Revised Statutes, is amended to  
3 read:

4 13-3401. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Administer" means to apply, inject or facilitate the inhalation  
7 or ingestion of a substance to the body of a person.

8 2. "Amidone" means any substance identified chemically as  
9 (4-4-diphenyl-6-dimethylamine-heptanone-3), or any salt of such substance,  
10 by whatever trade name designated.

11 3. "Board" means the Arizona state board of pharmacy.

12 4. "Cannabis" means the following substances under whatever names  
13 they may be designated:

14 (a) The resin extracted from any part of a plant of the genus  
15 cannabis, and every compound, manufacture, salt, derivative, mixture or  
16 preparation of such plant, its seeds or its resin. Cannabis does not  
17 include oil or cake made from the seeds of such plant, any fiber,  
18 compound, manufacture, salt, derivative, mixture or preparation of the  
19 mature stalks of such plant except the resin extracted from the stalks or  
20 any fiber, oil or cake or the sterilized seed of such plant which is  
21 incapable of germination.

22 (b) Every compound, manufacture, salt, derivative, mixture or  
23 preparation of such resin or tetrahydrocannabinol.

24 5. "Coca leaves" means cocaine, its optical isomers and any  
25 compound, manufacture, salt, derivative, mixture or preparation of coca  
26 leaves, except derivatives of coca leaves which do not contain cocaine,  
27 ecgonine or substances from which cocaine or ecgonine may be synthesized  
28 or made.

29 6. "Dangerous drug" means the following by whatever official,  
30 common, usual, chemical or trade name designated:

31 (a) Any material, compound, mixture or preparation that contains  
32 any quantity of the following hallucinogenic substances and their salts,  
33 isomers, whether optical, positional or geometric, and salts of isomers,  
34 unless specifically excepted, whenever the existence of such salts,  
35 isomers and salts of isomers is possible within the specific chemical  
36 designation:

37 (i) Alpha-ethyltryptamine.

38 (ii) Alpha-methyltryptamine.

39 (iii) (2-aminopropyl) benzofuran (APB).

40 (iv) (2-aminopropyl)-2, 3-dihydrobenzofuran (APDB).

41 (v) Aminorex.

42 (vi) 4-bromo-2, 5-dimethoxyphenethylamine.

43 (vii) 4-bromo-2, 5-dimethoxyamphetamine.

44 (viii) Bufotenine.

45 (ix) [3-(3-carbamoylphenyl)phenyl]N-cyclohexyl carbamate (URB-597).

- 1 (x) Diethyltryptamine.
- 2 (xi) 2, 5-dimethoxyamphetamine.
- 3 (xii) Dimethyltryptamine.
- 4 (xiii) (2-ethylaminopropyl)-benzofuran (EAPB).
- 5 (xiv) 5-methoxy-alpha-methyltryptamine.
- 6 (xv) 5-methoxy-3, 4-methylenedioxyamphetamine.
- 7 (xvi) 4-methyl-2, 5-dimethoxyamphetamine.
- 8 (xvii) (2-methylaminopropyl)-benzofuran (MAPB).
- 9 (xviii) Ibogaine.
- 10 (xix) Lysergic acid amide.
- 11 (xx) Lysergic acid diethylamide.
- 12 (xxi) Mescaline.
- 13 (xxii) 4-methoxyamphetamine.
- 14 (xxiii) Methoxymethylenedioxyamphetamine (MMDA).
- 15 (xxiv) Methylenedioxyamphetamine (MDA).
- 16 (xxv) 3, 4-methylenedioxymethamphetamine.
- 17 (xxvi) 3, 4-methylenedioxy-N-ethylamphetamine.
- 18 (xxvii) N-ethyl-3-piperidyl benzilate (JB-318).
- 19 (xxviii) N-hydroxy-3, 4-methylenedioxyamphetamine.
- 20 (xxix) N-methyl-3-piperidyl benzilate (JB-336).
- 21 (xxx) N-methyltryptamine mimetic substances that are any substances
- 22 derived from N-methyltryptamine by any substitution at the nitrogen, any
- 23 substitution at the indole ring, any substitution at the alpha carbon, any
- 24 substitution at the beta carbon or any combination of the above.
- 25 N-methyltryptamine mimetic substances do not include melatonin
- 26 (5-methoxy n-acetyltryptamine). Substances in the N-methyltryptamine
- 27 generic definition include AcO-DMT, Baeocystine, Bromo-DALT, DiPT, DMT,
- 28 DPT, HO-DET, HO-DiPT, HO-DMT, HO-DPT, HO-MET, MeO-DALT, MeO-DET, MeO-DiPT,
- 29 MeO-DMT, MeO-DPT, MeO-NMT, MET, NMT and Norbufotenin.
- 30 (xxxi) N-(1-phenylcyclohexyl) ethylamine (PCE).
- 31 (xxxii) Nabilone.
- 32 (xxxiii) 1-(1-phenylcyclohexyl) pyrrolidine (PHP).
- 33 (xxxiv) 1-(1-(2-thienyl)-cyclohexyl) piperidine (TCP).
- 34 (xxxv) 1-(1-(2-thienyl)-cyclohexyl) pyrrolidine.
- 35 (xxxvi) Para-methoxyamphetamine (PMA).
- 36 (xxxvii) Psilacetin.
- 37 (xxxviii) Psilocybin.
- 38 (xxxix) Psilocyn.
- 39 (xl) Synhexyl.
- 40 (xli) Trifluoromethylphenylpiperazine (TFMPP).
- 41 (xlii) Trimethoxyamphetamine (TMA).
- 42 (xliii) 1-pentyl-3-(naphthoyl)indole (JWH-018 and isomers).
- 43 (xliv) 1-butyl-3-(naphthoyl)indole (JWH-073 and isomers).
- 44 (xlv) 1-hexyl-3-(naphthoyl)indole (JWH-019 and isomers).
- 45 (xlvi) 1-pentyl-3-(4-chloro naphthoyl)indole (JWH-398 and isomers).

1 (xlvii) 1-(2-(4-(morpholinyl)ethyl))-3-(naphthoyl)indole (JWH-200  
2 and isomers).  
3 (xlviii) 1-pentyl-3-(methoxyphenylacetyl)indole (JWH-250 and  
4 isomers).  
5 (xlix) (2-methyl-1-propyl-1H-indol-3-yl)-1-naphthalenyl-methanone  
6 (JWH-015 and isomers).  
7 (l) (6AR, 10AR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-  
8 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210).  
9 (li) 5-(1,1-dimethylheptyl)-2-(3-hydroxycyclohexyl)-phenol  
10 (CP 47,497 and isomers).  
11 (lii) 5-(1,1-dimethyloctyl)-2-(3-hydroxycyclohexyl)-phenol  
12 (cannabicyclohexanol, CP-47,497 C8 homologue and isomers).  
13 (liii) Xylazine.  
14 (b) Any material, compound, mixture or preparation that contains  
15 any quantity of cannabimimetic substances and their salts, isomers,  
16 whether optical, positional or geometric, and salts of isomers, unless  
17 specifically excepted, whenever the existence of such salts, isomers and  
18 salts of isomers is possible within the specific chemical designation. For  
19 the purposes of this subdivision, "cannabimimetic substances" means any  
20 substances within the following structural classes:  
21 (i) 2-(3-hydroxycyclohexyl)phenol with substitution at the  
22 5-position of the phenolic ring by alkyl or alkenyl, whether or not  
23 substituted on the cyclohexyl ring to any extent. Substances in the  
24 2-(3-hydroxycyclohexyl)phenol generic definition include CP-47,497,  
25 CP-47,497 C8-Homolog, CP-55,940 and CP-56,667.  
26 (ii) 3-(naphthoyl)indole or 3-(naphthylmethane)indole by  
27 substitution at the nitrogen atom of the indole ring, whether or not  
28 further substituted on the indole ring to any extent, whether or not  
29 substituted on the naphthoyl or naphthyl ring to any extent. Substances in  
30 the 3-(naphthoyl)indole generic definition include AM-678, AM-2201,  
31 JWH-004, JWH-007, JWH-009, JWH-015, JWH-016, JWH-018, JWH-019, JWH-020,  
32 JWH-046, JWH-047, JWH-048, JWH-049, JWH-050, JWH-070, JWH-071, JWH-072,  
33 JWH-073, JWH-076, JWH-079, JWH-080, JWH-081, JWH-082, JWH-094, JWH-096,  
34 JWH-098, JWH-116, JWH-120, JWH-122, JWH-148, JWH-149, JWH-175, JWH-180,  
35 JWH-181, JWH-182, JWH-184, JWH-185, JWH-189, JWH-192, JWH-193, JWH-194,  
36 JWH-195, JWH-196, JWH-197, JWH-199, JWH-200, JWH-210, JWH-211, JWH-212,  
37 JWH-213, JWH-234, JWH-235, JWH-236, JWH-239, JWH-240, JWH-241, JWH-242,  
38 JWH-262, JWH-386, JWH-387, JWH-394, JWH-395, JWH-397, JWH-398, JWH-399,  
39 JWH-400, JWH-412, JWH-413, JWH-414 and JWH-415.  
40 (iii) 3-naphthoyl-indazole or 3-(naphthylmethane)-indazole by  
41 substitution at one or both of the nitrogen atoms of the indazole ring,  
42 whether or not further substituted on the indazole ring to any extent,  
43 whether or not substituted on the naphthoyl ring to any extent. Substances  
44 in the 3-naphthoyl-indazole or 3-(naphthylmethane)-indazole generic  
45 definition include THJ2201 and THJ-018.

1 (iv) 3-(naphthoyl)pyrrole by substitution at the nitrogen atom of  
2 the pyrrole ring, whether or not further substituted in the pyrrole ring  
3 to any extent, whether or not substituted on the naphthoyl ring to any  
4 extent. Substances in the 3-(naphthoyl)pyrrole generic definition include  
5 JWH-030, JWH-145, JWH-146, JWH-147, JWH-150, JWH-156, JWH-243, JWH-244,  
6 JWH-245, JWH-246, JWH-292, JWH-293, JWH-307, JWH-308, JWH-346, JWH-348,  
7 JWH-363, JWH-364, JWH-365, JWH-367, JWH-368, JWH-369, JWH-370, JWH-371,  
8 JWH-373 and JWH-392.

9 (v) 1-(naphthylmethylene)indene by substitution of the 3-position  
10 of the indene ring, whether or not further substituted in the indene ring  
11 to any extent, whether or not substituted on the naphthyl ring to any  
12 extent. Substances in the 1-(naphthylmethylene)indene generic definition  
13 include JWH-176.

14 (vi) 3-(phenylacetyl)indole or 3-(benzoyl)indole by substitution at  
15 the nitrogen atom of the indole ring, whether or not further substituted  
16 in the indole ring to any extent, whether or not substituted on the phenyl  
17 ring to any extent. Substances in the 3-(phenylacetyl)indole generic  
18 definition include AM-694, AM-2233, JWH-167, JWH-201, JWH-202, JWH-203,  
19 JWH-204, JWH-205, JWH-206, JWH-207, JWH-208, JWH-209, JWH-237, JWH-248,  
20 JWH-250, JWH-251, JWH-253, JWH-302, JWH-303, JWH-304, JWH-305, JWH-306,  
21 JWH-311, JWH-312, JWH-313, JWH-314, JWH-315, JWH-316, RCS-4, RCS-8, SR-18  
22 and SR-19.

23 (vii) 3-(cyclopropylmethanone) indole or 3-(cyclobutylmethanone)  
24 indole or 3-(cyclopentylmethanone) indole by substitution at the nitrogen  
25 atom of the indole ring, whether or not further substituted in the indole  
26 ring to any extent, whether or not substituted on the cyclopropyl,  
27 cyclobutyl or cyclopentyl rings to any extent. Substances in the  
28 3-(cyclopropylmethanone) indole generic definition include UR-144,  
29 fluoro-UR-144 and XLR-11.

30 (viii) 3-adamantoylindole with substitution at the nitrogen atom of  
31 the indole ring, whether or not further substituted on the indole ring to  
32 any extent, whether or not substituted on the adamantyl ring to any  
33 extent. Substances in the 3-adamantoylindole generic definition include  
34 AB-001.

35 (ix) N-(adamantyl)-indole-3-carboxamide with substitution at the  
36 nitrogen atom of the indole ring, whether or not further substituted on  
37 the indole ring to any extent, whether or not substituted on the adamantyl  
38 ring to any extent. Substances in the N-(adamantyl)-indole-3-carboxamide  
39 generic definition include SDB-001.

40 (x) Indole-3-carboxamide or indazole-3-carboxamide with  
41 substitution at the nitrogen atom of the indole ring or by substitution at  
42 one or both of the nitrogen atoms of the indazole ring, whether or not  
43 further substituted on the indole ring or the indazole ring to any extent,  
44 whether or not substituted on the nitrogen of the carboxamide to any  
45 extent. Substances in the indole-3-carboxamide or indazole-3-carboxamide

1 generic definition include AKB-48, fluoro-AKB-48, APINACA, AB-PINACA,  
 2 AB-FUBINACA, ABICA and ADBICA.

3 (xi) 8-Quinolinyln-indole-3-carboxylate or 8-quinolinyln-indazole-3-  
 4 carboxylate by substitution at the nitrogen atom of the indole ring or by  
 5 substitution at one or both of the nitrogen atoms of the indazole ring,  
 6 whether or not further substituted in the indole ring or indazole ring to  
 7 any extent, whether or not substituted on the quinoline ring to any  
 8 extent. Substances in the 8-quinolinyln-indole-3-carboxylate or the  
 9 8-quinolinyln-indazole-3-carboxylate generic definition include PB-22,  
 10 fluoro-PB-22, NPB-22 and fluoro-NPB-22.

11 (xii) Naphthalenyl-indole-3-carboxylate or naphthalenyl-indazole-3-  
 12 carboxylate by substitution at the nitrogen atom of the indole ring or by  
 13 substitution at one or both of the nitrogen atoms of the indazole ring,  
 14 whether or not further substituted in the indole or indazole ring to any  
 15 extent, whether or not substituted on the naphthalenyl ring to any extent.  
 16 Substances in the naphthalenyl-indole-3-carboxylate or  
 17 naphthalenyl-indazole-3-carboxylate generic definition include NM2201,  
 18 FDU-PB-22, SDB-005 and fluoro SDB-005.

19 (c) Any material, compound, mixture or preparation that contains  
 20 any quantity of the following substances and their salts, isomers, whether  
 21 optical, positional or geometric, and salts of isomers having a potential  
 22 for abuse associated with a stimulant effect on the central nervous  
 23 system:

- 24 (i) Alpha-pyrrolidinobutiophenone (Alpha-PBP).
- 25 (ii) Alpha-pyrrolidinopropiophenone (Alpha-PPP).
- 26 (iii) Alpha-pyrrolidinovalerophenone (Alpha-PVP).
- 27 (iv) Alpha-pyrrolidinovalerothiophenone (Alpha-PVT).
- 28 (v) Aminoindane mimetic substances that are derived from  
 29 aminoindane by any substitution at the indane ring, replacement of the  
 30 amino group with another N group or any combination of the above.  
 31 Substances in the aminoindane generic definition include MDAI, MMAI, IAI  
 32 and AMMI.
- 33 (vi) Amphetamine.
- 34 (vii) Benzphetamine.
- 35 (viii) Benzylpiperazine (BZP).
- 36 (ix) Beta-keto-n-methylbenzodioxolylbutanamine (Butylone).
- 37 (x) Beta-keto-n-methylbenzodioxolylpentanamine (Pentylone).
- 38 (xi) Butorphanol.
- 39 (xii) Cathine ((+)-norpseudoephedrine).
- 40 (xiii) Cathinomimetic substances that are any substances derived  
 41 from cathinone, (2-amino-1-phenyl-1-propanone) by any substitution at the  
 42 phenyl ring, any substitution at the 3 position, any substitution at the  
 43 nitrogen atom or any combination of the above substitutions.
- 44 (xiv) Cathinone.
- 45 (xv) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (2C-C).

- 1 (xvi) Chlorphentermine.
- 2 (xvii) Clortermine.
- 3 (xviii) Diethylpropion.
- 4 (xix) Dihydro-5H-indeno-(5,6-d)-1,3-dioxol-6-amine) (MDAI).
- 5 (xx) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (2C-E).
- 6 (xxi) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (2C-D).
- 7 (xxii) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (2C-N).
- 8 (xxiii) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P).
- 9 (xxiv) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H).
- 10 (xxv) Dimethylcathinone (Metamfepramone).
- 11 (xxvi) Ethcathinone.
- 12 (xxvii) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2).
- 13 (xxviii) Fencamfamin.
- 14 (xxix) Fenethylamine.
- 15 (xxx) Fenproporex.
- 16 (xxxi) Fluoroamphetamine.
- 17 (xxxii) Fluoromethamphetamine.
- 18 (xxxiii) Fluoromethcathinone.
- 19 (xxxiv) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (2C-I).
- 20 (xxxv) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine(2C-T-4).
- 21 (xxxvi) Mazindol.
- 22 (xxxvii) Mefenorex.
- 23 (xxxviii) Methamphetamine.
- 24 (xxxix) Methcathinone.
- 25 (xl) Methiopropamine.
- 26 (xli) Methoxy-alpha-pyrrolidinopropiophenone (MOPPP).
- 27 (xlii) Methoxymethcathinone (methedrone).
- 28 (xliii) Methoxyphenethylamine mimetic substances that are any
- 29 substances derived from 2, 5-dimethoxy-phenethylamine by any substitution
- 30 at the phenyl ring, any substitution at the nitrogen atom, any
- 31 substitutions at the carbon atoms of the ethylamine, or any combination of
- 32 the above substitutions.
- 33 (xliv) 4-methylaminorex.
- 34 (xlv) Methyl-a-pyrrolidinobutiophenone (MPBP).
- 35 (xlvi) Methylenedioxy-alpha-pyrrolidinopropiophenone (MDPPP).
- 36 (xlvii) Methylenedioxyethcathinone (Ethylone).
- 37 (xlviii) Methylenedioxymethcathinone (Methylone).
- 38 (xlix) Methylenedioxyprovalerone (MDPV).
- 39 (l) Methylmethcathinone (Mephedrone).
- 40 (li) Methylphenidate.
- 41 (lii) Modafinil.
- 42 (liii) Naphthylpyrovalerone (Naphyrone).
- 43 (liv) N-ethylamphetamine.
- 44 (lv) N, N-dimethylamphetamine.
- 45 (lvi) Pemoline.

- 1 (lvii) Phendimetrazine.
- 2 (lviii) Phenmetrazine.
- 3 (lix) Phentermine.
- 4 (lx) Pipradol.
- 5 (lxi) Propylhexedrine.
- 6 (lxii) Pyrovalerone.
- 7 (lxiii) Sibutramine.
- 8 (lxiv) Spa ((-)-1-dimethylamino-1,2-diphenylethane).
- 9 (d) Any material, compound, mixture or preparation that contains
- 10 any quantity of the following substances having a potential for abuse
- 11 associated with a depressant effect on the central nervous system:
- 12 (i) Any substance which contains any quantity of a derivative of
- 13 barbituric acid, or any salt of a derivative of barbituric acid, unless
- 14 specifically excepted.
- 15 (ii) Alprazolam.
- 16 (iii) Bromazepam.
- 17 (iv) Camazepam.
- 18 (v) Carisoprodol.
- 19 (vi) Chloral betaine.
- 20 (vii) Chloral hydrate.
- 21 (viii) Chlordiazepoxide.
- 22 (ix) Chlorhexadol.
- 23 (x) Clobazam.
- 24 (xi) Clonazepam.
- 25 (xii) Clorazepate.
- 26 (xiii) Clotiazepam.
- 27 (xiv) Cloxazolam.
- 28 (xv) Delorazepam.
- 29 (xvi) Diazepam.
- 30 (xvii) Dichloralphenazone.
- 31 (xviii) Estazolam.
- 32 (xix) Ethchlorvynol.
- 33 (xx) Ethinamate.
- 34 (xxi) Ethyl loflazepate.
- 35 (xxii) Etizolam.
- 36 (xxiii) Fenfluramine.
- 37 (xxiv) Fludiazepam.
- 38 (xxv) Flunitrazepam.
- 39 (xxvi) Flurazepam.
- 40 (xxvii) Gamma hydroxy butyrate.
- 41 (xxviii) Glutethimide.
- 42 (xxix) Halazepam.
- 43 (xxx) Haloxazolam.
- 44 (xxxii) Hydroxyphencyclidine (HO-PCP).
- 45 (xxxii) Ketamine.

- 1 (xxxiii) Ketazolam.
- 2 (xxxiv) Loprazolam.
- 3 (xxxv) Lorazepam.
- 4 (xxxvi) Lormetazepam.
- 5 (xxxvii) Lysergic acid.
- 6 (xxxviii) Mebutamate.
- 7 (xxxix) Mecloqualone.
- 8 (xl) Medazepam.
- 9 (xli) Meproamate.
- 10 (xlii) Methaqualone.
- 11 (xliii) Methohexital.
- 12 (xliv) 2-(methoxyphenyl)-2-(ethylamino)cyclohexanone
- 13 (Methoxetamine).
- 14 (xlv) 2-(methoxyphenyl)-2-(methylamino)cyclohexanone
- 15 (Methoxyketamine).
- 16 (xlvi) Methoxyphencyclidine(MeO-PCP).
- 17 (xlvii) Methyprylon.
- 18 (xlviii) Midazolam.
- 19 (xlix) Nimetazepam.
- 20 (l) Nitrazepam.
- 21 (li) Nordiazepam.
- 22 (lii) Oxazepam.
- 23 (liii) Oxazolam.
- 24 (liv) Paraldehyde.
- 25 (lv) Petrichloral.
- 26 (lvi) Phencyclidine (PCP).
- 27 (lvii) Phencyclidine mimetic substances that are any substances
- 28 derived from phenylcyclohexylpiperidine by any substitution at the phenyl
- 29 ring, any substitution at the piperidine ring, any substitution at the
- 30 cyclohexyl ring, any replacement of the phenyl ring or any combination of
- 31 the above. Substances in the phenylcyclohexylpiperidine generic
- 32 definition include Amino-PCP, BCP, Bromo-PCP, BTCP, Chloro-PCP,
- 33 Fluoro-PCP, HO-PCP, MeO-PCP, Methyl-PCP, Nitro-PCP, Oxo-PCP, PCE, PCM,
- 34 PCPY, TCP and TCPY.
- 35 (lviii) Pinazepam.
- 36 (lix) Prazepam.
- 37 (lx) Scopolamine.
- 38 (lxi) Sulfondiethylmethane.
- 39 (lxii) Sulfonethylmethane.
- 40 (lxiii) Sulfonmethane.
- 41 (lxiv) Quazepam.
- 42 (lxv) Temazepam.
- 43 (lxvi) Tetrazepam.
- 44 (lxvii) Tiletamine.
- 45 (lxviii) Triazolam.

1 (lxix) Zaleplon.

2 (lxx) Zolazepam.

3 (lxxi) Zolpidem.

4 (lxxii) Zopiclone.

5 (e) Any material, compound, mixture or preparation that contains  
6 any quantity of the following anabolic steroids and their salts, isomers  
7 or esters:

8 (i) Boldenone.

9 (ii) Clostebol (4-chlorotestosterone).

10 (iii) Dehydrochloromethyltestosterone.

11 (iv) Drostanolone.

12 (v) Ethylestrenol.

13 (vi) Fluoxymesterone.

14 (vii) Formebolone (formebolone).

15 (viii) Mesterolone.

16 (ix) Methandriol.

17 (x) Methandrostenolone (methandienone).

18 (xi) Methenolone.

19 (xii) Methyltestosterone.

20 (xiii) Mibolerone.

21 (xiv) Nandrolone.

22 (xv) Norethandrolon.

23 (xvi) Oxandrolone.

24 (xvii) Oxymesterone.

25 (xviii) Oxymetholone.

26 (xix) Stanolone (4-dihydrotestosterone).

27 (xx) Stanozolol.

28 (xxi) Testolactone.

29 (xxii) Testosterone.

30 (xxiii) Trenbolone.

31 7. "Deliver" means the actual, constructive or attempted exchange  
32 from one person to another, whether or not there is an agency  
33 relationship.

34 8. "Director" means the director of the department of health  
35 services.

36 9. "Dispense" means distribute, leave with, give away, dispose of  
37 or deliver.

38 10. "Drug court program" means a program that is established  
39 pursuant to section 13-3422 by the presiding judge of the superior court  
40 in cooperation with the county attorney in a county for the purpose of  
41 prosecuting, adjudicating and treating drug dependent persons who meet the  
42 criteria and guidelines for entry into the program that are developed and  
43 agreed on by the presiding judge and the prosecutor.

1           11. "Drug dependent person" means a person who is using a substance  
2 that is listed in paragraph 6, 19, 20, 21 or 28 of this section and who is  
3 in a state of psychological or physical dependence, or both, arising from  
4 the use of that substance.

5           12. "Federal act" has the same meaning prescribed in section  
6 32-1901.

7           13. "Isoamidone" means any substance identified chemically as  
8 (4-4-diphenyl-5-methyl-6-dimethylaminohexanone-3), or any salt of such  
9 substance, by whatever trade name designated.

10           14. "Isonipecaine" means any substance identified chemically as  
11 (1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester), or any salt  
12 of such substance, by whatever trade name designated.

13           15. "Ketobemidone" means any substance identified chemically as  
14 (4-(3-hydroxyphenyl)-1-methyl-4-piperidylethyl ketone hydrochloride), or  
15 any salt of such substance, by whatever trade name designated.

16           16. "Licensed" or "permitted" means authorized by the laws of this  
17 state to do certain things.

18           17. "Manufacture" means produce, prepare, propagate, compound, mix  
19 or process, directly or indirectly, by extraction from substances of  
20 natural origin or independently by means of chemical synthesis, or by a  
21 combination of extraction and chemical synthesis. Manufacture includes  
22 any packaging or repackaging or labeling or relabeling of containers.  
23 Manufacture does not include any producing, preparing, propagating,  
24 compounding, mixing, processing, packaging or labeling done in conformity  
25 with applicable state and local laws and rules by a licensed practitioner  
26 incident to and in the course of his licensed practice.

27           18. "Manufacturer" means a person who manufactures a narcotic or  
28 dangerous drug or other substance controlled by this chapter.

29           19. "Marijuana" means all parts of any plant of the genus cannabis,  
30 from which the resin has not been extracted, whether growing or not, and  
31 the seeds of such plant. Marijuana does not include the mature stalks of  
32 such plant or the sterilized seed of such plant which is incapable of  
33 germination.

34           20. "Narcotic drugs" means the following, whether of natural or  
35 synthetic origin and any substance neither chemically nor physically  
36 distinguishable from them:

- 37           (a) Acetyl-alpha-methylfentanyl.
- 38           (b) Acetylmethadol.
- 39           (c) Alfentanil.
- 40           (d) Allylprodine.
- 41           (e) Alphacetylmethadol.
- 42           (f) Alphameprodine.
- 43           (g) Alphamethadol.
- 44           (h) Alpha-methylfentanyl.
- 45           (i) Alpha-methylthiofentanyl.

- 1 (j) Alphaprodine.
- 2 (k) Amidone (methadone).
- 3 (l) Anileridine.
- 4 (m) Benzethidine.
- 5 (n) Benzylfentanyl.
- 6 (o) Betacetylmethadol.
- 7 (p) Beta-hydroxyfentanyl.
- 8 (q) Beta-hydroxy-3-methylfentanyl.
- 9 (r) Betameprodine.
- 10 (s) Betamethadol.
- 11 (t) Betaprodine.
- 12 (u) Bezitramide.
- 13 (v) Buprenorphine and its salts.
- 14 (w) Butonitazene.
- 15 (x) Cannabis.
- 16 (y) Carfentanil.
- 17 (z) 4-chloro-n-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]benz
- 18 enesulfonamide (W-18).
- 19 (aa) 4-chloro-n-[1-(2-phenylethyl)-2-piperidinylidene]
- 20 benzenesulfonamide (W-15).
- 21 (bb) Clonitazene.
- 22 (cc) Coca leaves.
- 23 (dd) 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45).
- 24 (ee) Dextromoramide.
- 25 (ff) Dextropropoxyphene.
- 26 (gg) Diampromide.
- 27 (hh) 3,4-dichloro-n-(-[1-(dimethylamino)cyclohexyl]methyl)-benzamid
- 28 e (AH-7921).
- 29 (ii) 3,4-dichloro-n-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide
- 30 (U-47700).
- 31 (jj) Diethylthiambutene.
- 32 (kk) Difenoxyin.
- 33 (ll) Dihydrocodeine.
- 34 (mm) Dimenoxadol.
- 35 (nn) Dimepheptanol.
- 36 (oo) Dimethylthiambutene.
- 37 (pp) Dioxaphetyl butyrate.
- 38 (qq) Diphenidine (DEP).
- 39 (rr) Diphenoxylate.
- 40 (ss) Dipipanone.
- 41 (tt) Ephedrine.
- 42 (uu) Ethylmethylthiambutene.
- 43 (vv) Etodesnitazene.
- 44 (ww) Etonitazene.
- 45 (xx) Etonitazepyne.

- 1 (yy) Etoxeridine.
- 2 (zz) Fentanyl.
- 3 (aaa) Fentanyl mimetic substances that are any substances derived
- 4 from fentanyl by any substitution in the phenethyl group, any substitution
- 5 in the piperidine ring, any substitution in the aniline ring, any
- 6 replacement of the phenyl portion of the phenethyl group, any replacement
- 7 of the N-propionyl group or any combination of the above.
- 8 (bbb) Flunitazene.
- 9 (ccc) Furethidine.
- 10 (ddd) Hydroxypethidine.
- 11 (eee) Isoamidone (isomethadone).
- 12 (fff) Isophenidine.
- 13 (ggg) Isotonitazene.
- 14 (hhh) Pethidine (meperidine).
- 15 (iii) Ketobemidone.
- 16 (jjj) ANY MATERIAL, COMPOUND, MIXTURE OR PREPARATION THAT CONTAINS
- 17 ANY QUANTITY OF SYNTHETIC 7-HYDROXYMITRAGYNINE, SYNTHETIC MITRAGYNINE,
- 18 PSEUDOINDOXYL OR ANY OTHER SYNTHETICALLY DERIVED COMPOUND OF THE PLANT
- 19 MITRAGYNA SPECIOSA.
- 20 ~~(jjj)~~ (kkk) Lefetamine.
- 21 ~~(kkk)~~ (lll) Levomethorphan.
- 22 ~~(lll)~~ (mmm) Levomoramide.
- 23 ~~(mmm)~~ (nnn) Levophenacymorphan.
- 24 ~~(nnn)~~ (ooo) Levorphanol.
- 25 ~~(ooo)~~ (ppp) Metazocine.
- 26 ~~(ppp)~~ (qqq) Methoxphenidine (MXP).
- 27 ~~(qqq)~~ (rrr) 3-methylfentanyl.
- 28 ~~(rrr)~~ (sss) 1-methyl-4-phenyl-4-propionoxypiperidine (MPPP).
- 29 ~~(sss)~~ (ttt) 3-methylthiofentanyl.
- 30 ~~(ttt)~~ (uuu) Metodesnitazene.
- 31 ~~(uuu)~~ (vvv) Metonitazene.
- 32 ~~(vvv)~~ (www) Morpheridine.
- 33 ~~(www)~~ (xxx) Noracymethadol.
- 34 ~~(xxx)~~ (yyy) Norlevorphanol.
- 35 ~~(yyy)~~ (zzz) Normethadone.
- 36 ~~(zzz)~~ (aaaa) Norpipanone.
- 37 ~~(aaaa)~~ (bbbb) Opium.
- 38 ~~(bbbb)~~ (cccc) Para-fluorofentanyl.
- 39 ~~(cccc)~~ (dddd) Pentazocine.
- 40 ~~(dddd)~~ (eeee) Phenadoxone.
- 41 ~~(eeee)~~ (ffff) Phenampromide.
- 42 ~~(ffff)~~ (gggg) Phenazocine.
- 43 ~~(gggg)~~ (hhhh) 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine
- 44 (PEPAP).
- 45 ~~(hhhh)~~ (iiii) Phenomorphan.



- 1 (x) Morphine-N-oxide.
- 2 (y) Myrophine.
- 3 (z) Nalorphine.
- 4 (aa) Nicocodeine.
- 5 (bb) Nicomorphine.
- 6 (cc) Normorphine.
- 7 (dd) Oxycodone.
- 8 (ee) Oxymorphone.
- 9 (ff) Pholcodine.
- 10 (gg) Thebacon.
- 11 (hh) Thebaine.

12 22. "Ordinary ephedrine, pseudoephedrine, (-)-norpseudoephedrine or  
13 phenylpropanolamine product" means a product that contains ephedrine,  
14 pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine and that is  
15 all of the following:

- 16 (a) Approved for sale under the federal act.
- 17 (b) Labeled, advertised and marketed only for an indication that is  
18 approved by the federal food and drug administration.
- 19 (c) Either:
  - 20 (i) A nonliquid that is sold in package sizes of not more than  
21 three grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or  
22 phenylpropanolamine and that is packaged in blister packs containing not  
23 more than two dosage units or, if the use of blister packs is technically  
24 infeasible, that is packaged in unit dose packets or pouches.
  - 25 (ii) A liquid that is sold in package sizes of not more than three  
26 grams of ephedrine, pseudoephedrine, (-)-norpseudoephedrine or  
27 phenylpropanolamine.

28 23. "Peyote" means any part of a plant of the genus *Lophophora*,  
29 known as the mescal button.

30 24. "Pharmacy" means a licensed business where drugs are compounded  
31 or dispensed by a licensed pharmacist.

32 25. "Practitioner" means a person licensed to prescribe and  
33 administer drugs.

34 26. "Precursor chemical I" means any material, compound, mixture or  
35 preparation which contains any quantity of the following substances and  
36 their salts, optical isomers or salts of optical isomers:

- 37 (a) N-acetylanthranilic acid.
- 38 (b) Anthranilic acid.
- 39 (c) Ephedrine.
- 40 (d) Ergotamine.
- 41 (e) Isosafrole.
- 42 (f) Lysergic acid.
- 43 (g) Methylamine.
- 44 (h) N-ethylephedrine.
- 45 (i) N-ethylpseudoephedrine.

- 1 (j) N-methylephedrine.
- 2 (k) N-methylpseudoephedrine.
- 3 (l) Norephedrine.
- 4 (m) (-)-Norpseudoephedrine.
- 5 (n) Phenylacetic acid.
- 6 (o) Phenylpropanolamine.
- 7 (p) Piperidine.
- 8 (q) Pseudoephedrine.
- 9 27. "Precursor chemical II" means any material, compound, mixture
- 10 or preparation which contains any quantity of the following substances and
- 11 their salts, optical isomers or salts of optical isomers:
- 12 (a) 4-cyano-2-dimethylamino-4, 4-diphenyl butane.
- 13 (b) 4-cyano-1-methyl-4-phenylpiperidine.
- 14 (c) Chlorephedrine.
- 15 (d) Chlorpseudoephedrine.
- 16 (e) Ethyl-4-phenylpiperidine-4-carboxylate.
- 17 (f) 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid.
- 18 (g) 1-methyl-4-phenylpiperidine-4-carboxylic acid.
- 19 (h) N-formyl amphetamine.
- 20 (i) N-formyl methamphetamine.
- 21 (j) Phenyl-2-propanone.
- 22 (k) 1-piperidinocyclohexane carbonitrile.
- 23 (l) 1-pyrrolidinocyclohexane carbonitrile.
- 24 28. "Prescription-only drug" does not include a dangerous drug or
- 25 narcotic drug but means:
- 26 (a) Any drug which because of its toxicity or other potentiality
- 27 for harmful effect, or the method of its use, or the collateral measures
- 28 necessary to its use, is not generally recognized among experts, qualified
- 29 by scientific training and experience to evaluate its safety and efficacy,
- 30 as safe for use except by or under the supervision of a medical
- 31 practitioner.
- 32 (b) Any drug that is limited by an approved new drug application
- 33 under the federal act or section 32-1962 to use under the supervision of a
- 34 medical practitioner.
- 35 (c) Every potentially harmful drug, the labeling of which does not
- 36 bear or contain full and adequate directions for use by the consumer.
- 37 (d) Any drug required by the federal act to bear on its label the
- 38 legend "Caution: Federal law prohibits dispensing without prescription"
- 39 or "Rx only".
- 40 29. "Produce" means grow, plant, cultivate, harvest, dry, process
- 41 or prepare for sale.
- 42 30. "Regulated chemical" means the following substances in bulk
- 43 form that are not a useful part of an otherwise lawful product:
- 44 (a) Acetic anhydride.
- 45 (b) Hypophosphorous acid.

- 1 (c) Iodine.
- 2 (d) Sodium acetate.
- 3 (e) Red phosphorus.
- 4 (f) Gamma butyrolactone (GBL).
- 5 (g) 1, 4-butanediol.
- 6 (h) Butyrolactone.
- 7 (i) 1, 2 butanolide.
- 8 (j) 2-oxanalone.
- 9 (k) Tetrahydro-2-furanone.
- 10 (l) Dihydro-2(3H)-furanone.
- 11 (m) Tetramethylene glycol.
- 12 31. "Retailer" means either:
- 13 (a) A person other than a practitioner who sells any precursor
- 14 chemical or regulated chemical to another person for purposes of
- 15 consumption and not resale, whether or not the person possesses a permit
- 16 issued pursuant to title 32, chapter 18.
- 17 (b) A person other than a manufacturer or wholesaler who purchases,
- 18 receives or acquires more than twenty-four grams of a precursor chemical.
- 19 32. "Sale" or "sell" means an exchange for anything of value or
- 20 advantage, present or prospective.
- 21 33. "Sale for personal use" means the retail sale for a legitimate
- 22 medical use in a single transaction to an individual customer, to an
- 23 employer for dispensing to employees from first aid kits or medicine
- 24 chests or to a school for administration pursuant to section 15-344.
- 25 34. "Scientific purpose" means research, teaching or chemical
- 26 analysis.
- 27 35. "Suspicious transaction" means a transaction to which any of
- 28 the following applies:
- 29 (a) A report is required under the federal act.
- 30 (b) The circumstances would lead a reasonable person to believe
- 31 that any person is attempting to possess a precursor chemical or regulated
- 32 chemical for the purpose of unlawful manufacture of a dangerous drug or
- 33 narcotic drug, based on such factors as the amount involved, the method of
- 34 payment, the method of delivery and any past dealings with any
- 35 participant.
- 36 (c) The transaction involves payment for precursor or regulated
- 37 chemicals in cash or money orders in a total amount of more than \$200.
- 38 (d) The transaction involves a sale, a transfer or furnishing to a
- 39 retailer for resale without a prescription of ephedrine, pseudoephedrine,
- 40 (-)-norpseudoephedrine or phenylpropanolamine that is not an ordinary
- 41 ephedrine, pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine
- 42 product.
- 43 36. "Threshold amount" means a weight, market value or other form
- 44 of measurement of an unlawful substance as follows:
- 45 (a) One gram of heroin.

- 1 (b) Nine grams of cocaine, including hydrolyzed cocaine.  
2 (c) Four grams or 50 milliliters of PCP.  
3 (d) Nine grams of methamphetamine, including methamphetamine in  
4 liquid suspension.  
5 (e) Nine grams of amphetamine, including amphetamine in liquid  
6 suspension.  
7 (f) One-half milliliter of lysergic acid diethylamide, or in the  
8 case of blotter dosage units fifty dosage units.  
9 (g) Two pounds of marijuana.  
10 (h) Nine grams of fentanyl or fentanyl mimetic substances.  
11 (i) For any combination consisting solely of those unlawful  
12 substances listed in subdivisions (a) through (h) of this paragraph, an  
13 amount equal to or in excess of the threshold amount, as determined by the  
14 application of section 13-3420.  
15 (j) For any unlawful substance not listed in subdivisions (a)  
16 through (h) of this paragraph or any combination involving any unlawful  
17 substance not listed in subdivisions (a) through (h) of this paragraph, a  
18 value of at least \$1,000.  
19 37. "Transfer" means furnish, deliver or give away.  
20 38. "Vapor-releasing substance containing a toxic substance" means  
21 a material which releases vapors or fumes containing any of the following:  
22 (a) Ketones, including acetone, methyl ethyl ketone, mibk, miak,  
23 isophorone and mesityl oxide.  
24 (b) Hydrocarbons, including propane, butane, pentane, hexane,  
25 heptane and halogenated hydrocarbons.  
26 (c) Ethylene dichloride.  
27 (d) Pentachlorophenol.  
28 (e) Chloroform.  
29 (f) Methylene chloride.  
30 (g) Trichloroethylene.  
31 (h) Difluoroethane.  
32 (i) Tetrafluoroethane.  
33 (j) Aldehydes, including formaldehyde.  
34 (k) Acetates, including ethyl acetate and butyl acetate.  
35 (l) Aromatics, including benzene, toluene, xylene, ethylbenzene and  
36 cumene.  
37 (m) Alcohols, including methyl alcohol, ethyl alcohol, isopropyl  
38 alcohol, butyl alcohol and diacetone alcohol.  
39 (n) Ether, including Diethyl ether and petroleum ether.  
40 (o) Nitrous oxide.  
41 (p) Amyl nitrite.  
42 (q) Isobutyl nitrite.  
43 39. "Weight" unless otherwise specified includes the entire weight  
44 of any mixture or substance that contains a detectable amount of an  
45 unlawful substance. If a mixture or substance contains more than one

1 unlawful substance, the weight of the entire mixture or substance is  
2 assigned to the unlawful substance that results in the greater offense. If  
3 a mixture or substance contains lysergic acid diethylamide, the offense  
4 that results from the unlawful substance shall be based on the greater  
5 offense as determined by the entire weight of the mixture or substance or  
6 the number of blotter dosage units. For the purposes of this paragraph,  
7 "mixture" means any combination of substances from which the unlawful  
8 substance cannot be removed without a chemical process.

9 40. "Wholesaler" means a person who in the usual course of business  
10 lawfully supplies narcotic drugs, dangerous drugs, precursor chemicals or  
11 regulated chemicals that he himself has not produced or prepared, but not  
12 to a person for the purpose of consumption by the person, whether or not  
13 the wholesaler has a permit that is issued pursuant to title 32,  
14 chapter 18. Wholesaler includes a person who sells, delivers or dispenses  
15 a precursor chemical in an amount or under circumstances that would  
16 require registration as a distributor of precursor chemicals under the  
17 federal act.

18 Sec. 2. Section 36-795, Arizona Revised Statutes, is amended to  
19 read:

20 36-795. Definitions

21 In this article, unless the context otherwise requires:

22 ~~1. "Food" means a food as defined in section 36-901, food product,~~  
23 ~~food ingredient, dietary ingredient, dietary supplement or beverage for~~  
24 ~~human consumption.~~

25 1. "KRATOM" MEANS THE PLANT OR ANY PART OF THE PLANT MITRAGYNA  
26 SPECIOSA.

27 2. "Kratom product" means ~~a food~~ ANY product ~~or dietary ingredient~~  
28 ~~containing any part of the leaf of the plant mitragyna speciosa~~ THAT IS  
29 MADE FROM KRATOM AND THAT IS MADE TO BE INGESTABLE OR INHALABLE.

30 ~~3. "Processor" means a person that sells, prepares, manufactures,~~  
31 ~~distributes, wholesales or maintains kratom products or that advertises,~~  
32 ~~represents or holds itself out as selling, preparing or maintaining kratom~~  
33 ~~products.~~

34 ~~4. "Retailer" means a person that sells or distributes kratom~~  
35 ~~products or that advertises, represents or holds itself out as selling or~~  
36 ~~maintaining kratom products.~~

37 Sec. 3. Repeal

38 Section 36-795.01, Arizona Revised Statutes, is repealed.

39 Sec. 4. Title 36, chapter 6, article 10, Arizona Revised Statutes,  
40 is amended by adding a new section 36-795.01, to read:

41 36-795.01. Kratom products; labeling required

42 ANY KRATOM PRODUCT THAT IS OFFERED FOR SALE OR SOLD IN THIS STATE  
43 MUST INCLUDE A LABEL OR CONSUMER SCANNABLE QUICK RESPONSE CODE OR SIMILAR  
44 TECHNOLOGY THAT PROVIDES ALL OF THE FOLLOWING:

45 1. THE INGREDIENTS OF THE KRATOM PRODUCT.

1           2. THE QUANTITY OF MITRAGYNINE OR 7-HYDROXYMITRAGYNINE IN THE  
2 KRATOM PRODUCT.

3           3. THE RECOMMEND SERVICING SIZE OF THE KRATOM PRODUCT.

4           4. THE NUMBER OF SERVINGS IN THE KRATOM PRODUCT.

5           Sec. 5. Section 36-795.02, Arizona Revised Statutes, is amended to  
6 read:

7           36-795.02. Prohibited manufacture, distribution and sales;  
8   minimum age

9           A. A ~~processor or retailer~~ PERSON may not prepare, MANUFACTURE,  
10 distribute, TRANSPORT, OFFER FOR SALE OR sell ~~or expose for sale any of~~  
11 ~~the following:~~

12           ~~1. A kratom product that is adulterated with a dangerous nonkratom~~  
13 ~~substance. A kratom product is adulterated with a dangerous nonkratom~~  
14 ~~substance if the kratom product is mixed or packed with a nonkratom~~  
15 ~~substance and that substance affects the quality or strength of the kratom~~  
16 ~~product to such a degree as to render the kratom product injurious to a~~  
17 ~~consumer.~~

18           ~~2. A kratom product that is contaminated with a dangerous nonkratom~~  
19 ~~substance. A kratom product is contaminated with a dangerous nonkratom~~  
20 ~~substance if the kratom product contains a poisonous or otherwise~~  
21 ~~deleterious nonkratom substance, including any controlled substance~~  
22 ~~prescribed by chapter 27 of this title or rules adopted pursuant to~~  
23 ~~chapter 27 of this title.~~

24           ~~3. a kratom product containing a level of~~ IN THIS STATE THAT  
25 CONTAINS MORE THAN FOUR HUNDRED PARTS PER MILLION 7-hydroxymitragynine ~~in~~  
26 ~~the alkaloid fraction that is greater than two percent of the alkaloid~~  
27 ~~composition of the product ON A DRY-WEIGHT BASIS.~~

28           ~~4. A kratom product containing any synthetic alkaloid, including~~  
29 ~~synthetic mitragynine, synthetic 7-hydroxymitragynine or any other~~  
30 ~~synthetically derived compounds of the kratom plant.~~

31           ~~5. Any kratom-containing product that does not include on its~~  
32 ~~package or label the amount of mitragynine and 7-hydroxymitragynine~~  
33 ~~contained in the product.~~

34           B. A ~~processor or retailer~~ PERSON may not PREPARE, MANUFACTURE,  
35 distribute, TRANSPORT, OFFER FOR SALE OR sell ~~or expose for sale~~ a kratom  
36 product to an individual who is under ~~eighteen~~ TWENTY-ONE years of age.

37           Sec. 6. Section 36-795.03, Arizona Revised Statutes, is amended to  
38 read:

39           36-795.03. Enforcement; violations; classification

40           A. In addition to the violations and remedies specified in this  
41 section, violations and enforcement of this article are governed by  
42 chapter 8 of this title.

43           B. A ~~processor or retailer that~~ PERSON WHO violates section  
44 36-795.01, ~~subsection B or section 36-795.02~~ is guilty of a class 2  
45 misdemeanor.

1 C. A PERSON WHO VIOLATES SECTION 36-795.02 IS GUILTY OF A CLASS 3  
2 MISDEMEANOR.

3 ~~C.~~ D. In addition to and distinct from any other remedy at law or  
4 equity, a person WHO IS aggrieved by a violation of section  
5 36-795.01, ~~subsection B~~ or section 36-795.02, ~~subsection A~~ may bring a  
6 private cause of action in a court of competent jurisdiction for damages  
7 resulting from that violation, including economic, noneconomic or  
8 consequential damages.

9 ~~D.~~ E. A ~~processor or retailer~~ PERSON does not violate section  
10 36-795.01, ~~subsection B~~ or section 36-795.02, ~~subsection A~~ if the court  
11 finds by a preponderance of the evidence that the processor or retailer  
12 relied in good faith on the representation of a manufacturer, packer or  
13 distributor that the food was a kratom product.