

1 Oceanside have enacted complete bans on the sale, distribution and possession of all Kratom
2 products, regardless of the concentration of 7-OH; and

3 WHEREAS, Assembly Bill 1088 was introduced in 2025 to regulate sales of Kratom and
4 Kratom products. AB 1088 passed the Assembly by unanimous vote on June 2, 2025 and was
5 referred to the Senate Committee on Health. AB 1088 did not become law; and

6 WHEREAS, On October 28, 2025, the Board of Supervisors of the County of Riverside
7 adopted Ordinance 1004 to prohibit the sale or distribution of any Kratom product or 7-OH product
8 to a person under 21 years of age, and to prohibit the sale or distribution of any Kratom product or
9 7-OH product with a level of 7-OH that is greater than 2 percent of the total Kratom alkaloids in
10 the product; and

11 WHEREAS, the Riverside Police Department does not believe that enforcement of a 2
12 percent 7-OH level in Kratom products is practical, in that vendors will intentionally misrepresent
13 the true concentration of 7-OH in their products, and laboratory testing of suspect products is time
14 consuming and expensive; and

15 WHEREAS, the state of California does not currently regulate Kratom or Kratom products,
16 and prohibiting their sale and distribution within the City of Riverside will promote the health,
17 safety, and welfare of the community.

18 The City Council of the City of Riverside does ordain as follows:

19 Section 1: The City Council finds that all the recitals, facts, and conclusions set forth
20 above in the preamble of this Ordinance are true and correct.

21 Section 2: Section 6.24.080 of the Riverside Municipal Code is amended as follows:
22 “Section 6.24.080 Other requirements and prohibitions.

23 *A. Lawful business operation.* In the course of tobacco retailing or in the operation of the business or
24 maintenance of the location for which a permit is issued, it shall be a violation of this chapter for a
25 permit holder, or any of the permit holder's agents or employees, to:

26 1. Violate any local, state, or federal law applicable to tobacco products, tobacco
27 paraphernalia, or tobacco retailing;

28 2. Violate any local, state, or federal law regulating exterior, storefront, window, or door
signage.

- 1 3. Engage in the sales of any nitrous oxide or device as defined in RMC section 9.04.225.
- 2 4. Engage in the sales of any kratom or kratom products as defined in RMC section 9.04.235.
- 3 ...”

4 Section 3: Section 9.04.235 of the Riverside Municipal Code is added as follows:

5 “Section 9.04.235 Prohibiting the sale and distribution of kratom products.

6 A. Definitions.

7 For purposes of this section, the following definitions apply:

- 8 1. 7-OH product means a product containing hydroxymitragynine.
- 9 2. Kratom leaf means the leaf of the kratom plant, also known as mitragyna speciosa, any form.
- 10 3. Kratom leaf extract means the material obtained by extraction of kratom leaves by any means.
- 11 4. Kratom product means a product consisting of kratom leaf, kratom leaf extract, or both; any
12 part of a leaf of the plant mitragyna speciosa in fresh, dehydrated or dried form or a kratom extract or
13 any product that contains any kratom alkaloid or metabolite.
- 14 5. Total kratom alkaloids means the sum of mitragynine, speciociliatine, speciogynine,
15 paynantheine, and 7-OH in a kratom product.
- 16 6. Synthesized means an alkaloid or alkaloid derivative that has been created by chemical
17 synthesis or biosynthetic means (including but not limited to: fermentation, recombinant techniques,
18 yeast derived enzymatic techniques) rather than traditional food preparation techniques such as heating
19 or extracting. It also includes alkaloids that have been further exposed to chemicals or processes that
20 would confer a structural change in the alkaloids contained within the extract.

21 B. Prohibition on Sale and Distribution of Kratom and 7-OH Products.

- 22 1. Except as otherwise authorized by law, an individual, business, or other entity shall not
23 sell, attempt to sell, offer, provide, or distribute a kratom product or 7-OH product to any person.

24 C. Violations and Penalties.

- 25 1. Any person who violates this chapter is guilty of a misdemeanor and upon conviction
26 thereof may be punished by a fine of not more than one thousand dollars (\$1,000) or by
27 imprisonment in the County Jail for a period of not more than six (6) months or by both such fine
28 and imprisonment. Each day any violation of any said provision of this chapter shall continue shall
constitute a separate offense.

1 2. Alternatively, violations may be addressed by administrative citations as set forth in RMC
2 Chapter 1.17 (Administrative Code Enforcement Remedies), Sections 200-430, Title 1 of this
3 Code.

4 3. A violation of this section is grounds for revocation of a Tobacco Retail Establishment
5 Permit pursuant to RMC Chapter 6.24, Title 6 of this Code.

6 4. Use of criminal enforcement and/or administrative citations shall not prevent or
7 preclude the City from seeking injunctive relief and civil penalties in court for violation of this
8 article. This section shall not serve to limit any other legal remedies or actions that the City may
9 have to address violations of this section.”

10 Section 4: The City hereby finds that this ordinance is not subject to review under the California
11 Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060, subdivision (c)(2)
12 (the activity will not result in a direct or reasonably foreseeable indirect physical change in the
13 environment) and 15061, subdivision (b)(3) (there is no possibility the activity in question may have
14 a significant effect on the environment). In addition to the foregoing general exemptions, the City
15 Council further finds that this ordinance is categorically exempt from review under CEQA under the
16 Class 8 Categorical Exemption (regulatory activity to assure the protection of the environment),
17 CEQA Guidelines section 15308.

18 Section 5: The City Clerk shall certify to the adoption of this ordinance and cause
19 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
20 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
21 adoption.

22 ADOPTED by the City Council this ____ day of _____, 2026.

23
24 _____
25 PATRICIA LOCK DAWSON
26 Mayor of the City of Riverside

27 Attest:

28 _____
29 DONESIA GAUSE
30 City Clerk of the City of Riverside

1 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
3 _____ day of _____, 2026, and that thereafter the said ordinance was duly and
4 regularly adopted at a meeting of the City Council on the _____ day of _____, 2026,
5 by the following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10
11 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
12 City of Riverside, California, this _____ day of _____, 2026.

13
14 _____
15 DONESIA GAUSE
16 City Clerk of the City of Riverside
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