The Council

Special Session

By executive order of Governor Kelly Armstrong, the Legislative Assembly convened on September 2, 2026, for a special legislative session. The Legislative Assembly completed its work on September 4, 2026, using no more than the minimum 3 days required to pass a bill through both chambers. The primary purpose of the special session was to consider legislation related to the prohibition or regulation of kratom and kratom products to address the public health crisis declared in the Governor's executive order.

Kratom is a derivative of the mitragyna speciosa tree that contains psychoactive compounds and is marketed as a supplement for treating pain relief, opioid withdrawal, depression, and anxiety. Kratom contains over 40 psychoactive alkaloids, the most common of which are mitragynine and 7-hydroxymitragynine, and produces a stimulant effect in low doses and a depressant, opioid-like effect in higher doses.

Kratom Legislation

Two bills were introduced during the special session related to the prohibition and regulation of kratom.

- **Senate Bill 2408** failed in the House after being amended in the Senate to include a full ban on natural and synthetic kratom products.
- **House Bill 1628**, which was approved by the Legislative Assembly, requires retailers to obtain a license to sell natural kratom products and prohibits the sale of natural kratom to individuals under the age of 21. The bill also prohibits the possession, use, or sale of synthetic kratom products.

Upcoming Meetings

September

9 Human Services
14 Administrative Rules
Legislative Procedure and Arrangements
15 Education
16 Special Education Funding
17 Water Topics Overview
21-22 Higher Education Institutions
22 Legislative Audit and Fiscal Review
24 Information Technology
Tribal and State Relations
29 Legislative Task Force on Government Efficiency
30 Budget Section (including divisions)

October

1 Employee Benefits Programs
Protection and Victim Services
6 Health Care

Additional Legislation

The Legislative Assembly considered three measures not directly related to kratom.

- **Senate Bill 2407**, which was approved by the Legislative Assembly, appropriates $20 million from a Bank of North Dakota line of credit for the North Dakota Military Museum project. The bill directs the State Historical Society to repay the line of credit from private donations appropriated in House Bill 1018 (2025). If the amount of donations collected through March 31, 2029, is not sufficient to repay the line of credit and accrued interest, the Legislative Assembly is required to consider extending the line of credit or evaluating available sources for repayment of the line of credit during the 2029 legislative session. The bill also removes restrictions on $15 million previously appropriated from the Strategic Investment and Improvements Fund for the project.
- **Senate Bill 2406**, which failed to pass, would have prohibited nondisclosure agreements for data centers and industrial projects.
- **Senate Bill 2405**, which failed to pass, would have modified the order in which the primary residence credit and the discount for the early payment of tax is applied to property tax statements.

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