

AGENDA ITEM #7

NOTICE OF PUBLIC HEARING CITY OF POCATELLO, IDAHO

Notice is hereby given that the City Council for the City of Pocatello, Idaho, will hold a public hearing for consideration of a proposed ordinance to prohibit the commercial sale of kratom products within the City of Pocatello, said hearing to be held at the Council Chambers at 911 North 7th Avenue, Pocatello, Idaho, at 6 p.m. on November 5, 2026. At said hearing, all interested persons may appear and show cause, if any they have, why the proposed ordinance should or should not be adopted. In accordance with the Americans with Disabilities Act, it is the policy of the City of Pocatello to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require an accommodation, please contact Skyler Beebe with two (2) business days' advance notice at sbeebe@pocatello.gov; 208.234.6248; or 5815 South 5th Avenue, Pocatello, Idaho. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

Background:

Kratom is an herbal product that has dose-dependent effects. At low doses, it can increase alertness and energy. At high doses, it can act as a sedative with opioid-like properties. Kratom is commonly used to self-treat things like opioid withdrawal, pain management, anxiety or depression, and fatigue. It has not been approved by the FDA for any medical use or health condition and, in fact, the FDA advises against its use.

According to the Idaho Department of Health and Welfare, there have been at least 83 kratom-related overdoses in Idaho since 2020, noting the decedents ranged in age from their late teens to middle-aged adults. Idaho currently has no statewide age restrictions, testing requirements, or labeling standards for kratom.

During the 2026 Idaho legislative session, lawmakers attempted to address kratom from two angles but, ultimately, both failed.

House Bill No. 864 aimed to classify kratom as a Schedule 1 controlled substance, thus prohibiting and criminalizing its sale, use, and possession.

Senate Bill 1418 aimed to regulate the sale of kratom, add an age limit of 21, impose penalties, and outlaw the sale of synthetic kratom products.

The purpose of this proposed ordinance is to prohibit the commercial sale of kratom products within the City of Pocatello in order to promote public health and safety, reduce youth access to unregulated psychoactive substances, and align with actions recently taken by the City of Kellogg, City of Idaho Falls, Bonneville County, and Bingham County in order to establish a regulatory framework while statewide policy remains undeveloped and support regional consistency among Idaho communities.

Recommended Language (closely matching Idaho Falls):

(A) Definitions

(1) “Kratom” means any part of the plant *Mitragyna speciosa*, whether growing or not, and any compound, manufacture, salt, derivative, mixture, extract, or preparation of that plant, including but not limited to mitragynine, 7-hydroxymitragynine, paynantheine, speciociliatine, and speciogynine. Kratom also includes any synthetic or semisynthetic forms of the alkaloid compounds found in the plant.

(2) “Kratom Product” means any food, food product, food ingredient, dietary ingredient, dietary supplement, beverage, or other substance containing kratom intended for human consumption.

(B) Prohibited Conduct

It shall be unlawful for any person to sell or offer to sell to any person located within the City any Kratom or Kratom Product.

Recommended Rollout Plan:

Phase 1 – Identification and Notification (30 Days)

Phase 2 – Public Information Campaign (30 Days)

Phase 3 – Compliance Verification (15-30 Days)

Phase 4 – Enforcement