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Date _____

11/21/14

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2015	2016	2017	2018	2019
Capital Expenditures					
Operating Costs	25,000				
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	25,000				

ADDITIONAL FTE POSITIONS (Cumulative)

Is Item Included in Current Budget? Yes No X

Budget Account No.: Fund _____ Agency _____ Org _____ Object _____ Program Code _____

B. Recommended Sources of Funds/Summary of Fiscal Impact

Approximately \$25,000 annual fiscal impact if staff recommendation is approved.

C. Department Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and /or Contract Administrator Comments:

OFMB

Contract Administrator

B. Legal Sufficiency:

Assistant County Attorney

C. Other Department Review:

Department Director

(Background Continued from Page 1)

The subject of kratom use came to the Board of County Commissioners attention following the unfortunate and tragic suicide of a 20-year old Palm Beach County resident, Ian Mautner in July 2014. According to Mr. Mautner's mother, Linda Mautner, Ian was addicted to kratom. Toxicology results reported by the medical examiner's office later confirmed that kratom was present in Mr. Mautner's blood along with an anti-depressant drug. The medical examiner's report did not provide any conclusions or evidence linking the presence of the kratom in Mr. Mautner's blood stream and the suicide. According to the FDLE, there have been no reported incidents of Kratom being the primary cause of death (Fusion Center Brief 8/8/14).

The staff recommendation for a non-regulatory response is based principally on the following factors:

- A. Kratom has a long history of beneficial use.
- B. There is lack of empirical or scientific data at this time to support an ordinance regulating kratom.
- C. There are no reported deaths linked to kratom.
- D. Review of the sale and use of kratom is underway by State and Federal agencies that have yet to conclude it poses a significant public threat.
- E. Regulation through a local ordinance would have limited impact due the ready availability of the substance through the internet.
- F. The Palm Beach County Sheriff's Office is not in favor of a local ordinance regulating kratom, preferring any regulation to occur at the State or federal level if warranted in future.

According to research conducted by the County Attorney's office, Sarasota County is the only county in Florida to regulate kratom and there could be problems with their approach since they have included kratom with "designer" drugs or synthetic drugs in their ordinance. Kratom is a naturally-occurring botanical or plant. Broward County Commissioners recently rejected an ordinance that would have prohibited the sale, give away, advertisement, or display of kratom.

Most sources agree that kratom has the potential to be dangerous and cause adverse health effects, particularly when taken in high doses, although there is very little data available on the subject. Earlier this year, the U.S. Food and Drug Administration (FDA) issued an import alert on shipments of dietary supplements and bulk dietary ingredients that contain kratom citing the fact that kratom is "a new dietary ingredient for which there is inadequate information to provide reasonable assurance that such ingredient does not present a significant or unreasonable risk of illness or injury" (FDA Import Alert #54-15, 06/16/2014). This statement reinforces the conclusions of other agencies and organizations that additional research on the use of kratom is warranted.

While this research is being conducted, staff feels that there is value in a public education program designed to help ensure that consumers and potential consumers of kratom understand the potential addictive effects and dangers associated overuse or abuse as a recreational drug. The Palm Beach County Substance Awareness Coalition has expressed a willingness to provide a public education program on the substance and the Palm Beach Sheriff's Office has expressed a willingness to assist with such an effort.



FLORIDA FUSION CENTER

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☒ Brief

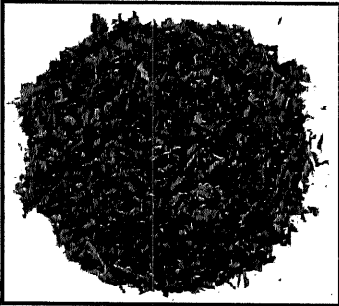
☐ Criminal Indices Check

☒ Situational Awareness

☐ Request for Information

Kratom (*Mitragyna speciosa korth*)

The Florida Department of Law Enforcement (FDLE) is providing the following situational awareness brief addressing the growing popularity of a plant substance commonly called Kratom, which is being promoted as a legal psychoactive product on numerous websites within and outside the United States (U.S.).



The *mitragyna speciosa korth* tree, or Kratom, is a member of the coffee-bean tree family that grows in tropical Southeast Asia, particularly in Thailand. The tree can reach heights up to 50 feet with a spread of over 15 feet. Normal ingestion methods include drinking the dried crushed leaves as a tea or in capsules, or chewing the raw leaves. For centuries, Kratom has been used as both a stimulant and a sedative/pain reliever, particularly by the natives of Thailand.

Chemistry and Pharmacology

There are over 40 compounds in Kratom leaves, including mitragynine, mitraphylline and 7-hydroxy-mitragynine which is believed to be the primary active alkaloid in the plant. Pharmacology studies as early as 1836 revealed a number of beneficial applications of Kratom including; a cure for fever, wound treatment, pain reliever and suppressor of opiate withdrawal symptoms. Rarely seen negative side effects, especially at high doses, include nausea and vomiting, hallucinations, delusions, listlessness, tremors and aggression. There have been no reported incidents of Kratom being a primary cause of death.

Effects

The effects of Kratom are described as being a combination of both a stimulant (in low doses) and a sedative/pain reliever (in high doses). At the stimulant level, the subject is more alert, physical energy is increased and the subject becomes more talkative and possibly agitated. At higher levels of dosage Kratom acts as a pain reliever and sedative, producing feelings of euphoria and sleepiness. Prolonged Kratom consumption may lead to addiction and may also produce anorexia, weight loss, insomnia, depression, skin darkening, dry mouth and constipation. Documented withdrawal symptoms include; achy muscles and bones, runny nose, jerky movements of the limbs, hostility, aggression and wild swings of emotions.

Legal

Kratom is not currently scheduled as a controlled substance in the U.S., meaning that all parts of the plant and its extracts are legal to cultivate, buy, possess, and distribute (sell, trade or give) without a license or prescription. If sold as a dietary supplement, sales must conform to U.S. supplement laws. If sold for consumption as a food or drug, sales are regulated by the U.S. Food and Drug Administration (FDA). In February of this year, the FDA moved to seize shipments of Kratom arriving in the U.S. because the agency determined the substance was a botanical that qualified as a new dietary ingredient that had not been approved as such.

In 1943, the Thai government enacted laws making it illegal to plant a Kratom tree and called for all existing trees to be cut down. However; in late 2013, steps were taken to remove Kratom from the Thai narcotic drug list, though still regulating it in other ways due to its effects on the nervous system.

A number of European countries have passed laws regarding Kratom. These laws range from complete prohibition to total acceptance with no controls, or limited regulations for use by a physician's prescription or for use only by those over the age of 18.

In the U.S., a number of states have taken measures to control or ban the substance and its derivatives. In 2012, Indiana became the first state to indirectly ban Kratom by scheduling the two active ingredients in Kratom, mitragynine and 7-hydroxy-mitragynine. Iowa proposed to categorize Kratom as a cannabimimetic agent (similar to marijuana) classifying the drug as a controlled substance.

Arizona and Louisiana have applied an age limit of 18 to legally purchase, possess and consume Kratom. Illinois has approved it for possession and consumption without regulation. Many other states have recently enacted or proposed legislation with various outcomes. In Florida, only the county of Sarasota has banned Kratom in all forms.



Kratom is also known as Thang, Kakuam, Thom, Ketum and Biak, but should not be confused with K2 or Spice products that may bear the name Kratom on its packaging. K2 and/or Spice are usually plant based products that have been treated with toxic chemicals, most of which are illegal, and normally smoked.

The Florida Department of Law Enforcement's Regional Crime Laboratories have confirmed 7 submissions of Kratom since 2011, from local law enforcement agencies. Kratom is also on the Drug Enforcement Administration's (DEA's) list of Drugs and Chemicals of Concern.

If you would like more information about this intelligence brief or if you have information that you would like posted in a bulletin, please contact the Florida Department of Law Enforcement at (850) 410-7645.
Send feedback comments or suggestions to: Fusionfeedback@fdle.state.fl.us (Please reference the Brief #14-123).

Approval Authority: Assistant Special Agent in Charge Mike Phillips; Director, Florida Fusion Center

Source: Florida Department of Law Enforcement

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Content Validity: ☒ Confirmed ☐ Probable ☐ Doubtful ☐ Cannot be determined

Information Classification

☐ For Official Use Only ☐ Law Enforcement Sensitive ☐ Contains Personal Identifier Information (PII)

☒ Public ☐ Contains Information on US Person or Lawful Permanent Resident (LPR)

15 - 0229

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

Fund 0001 General Fund

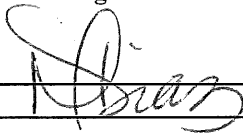
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ACCOUNT NAME AND NUMBER	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/ ENCUMBERED AS OF 09/22/12	REMAINING BALANCE
<u>Expenditures</u>							
760-7614-8101 Contributions Other Govtl Agency	0	0	25,000	0	25,000		25,000
820-9900-9901 Contingency Reserves	20,000,000	19,250,005	0	25,000	19,225,005		19,225,005
TOTAL APPROPRIATIONS & EXPENDITURES			25,000	25,000	0		

Economic Development

INITIATING DEPARTMENT/DIVISION
Administration/Budget Department Approval
OFMB Department - Posted

Signatures & Dates

 1/21/2014

BY BOARD OF COUNTY COMMISSIONERS
AT MEETING OF

Deputy Clerk to the
Board of County Commissioners

Attachment # 2