



EXECUTIVE ORDER 2026-04.1

WHEREAS, Executive Order 2026-04 was issued on August 3, 2026, declaring a state of emergency regarding the public health crisis resulting from the sale, possession, and use of kratom, mitragynine, and 7-hydroxymitragynine (7-OH), temporarily restricting kratom products to protect public safety; and,

WHEREAS, Executive Order 2026-04 convened a special session of the 69th Legislative Assembly to consider and enact a long-term statutory framework to regulate or prohibit kratom and kratom products; and,

WHEREAS, the special session concluded on September 4, 2026, and the 69th Legislative Assembly enacted legislation addressing the regulation, sale, possession, and use of kratom and kratom products, thereby establishing a statutory framework to address the public health and safety concerns that prompted Executive Order 2026-04; and,

WHEREAS, with the enactment of this legislation, the temporary measures established by Executive Order 2026-04 are no longer necessary, and the regulation of kratom and kratom products is appropriately governed by the laws enacted by the Legislative Assembly.

NOW, THEREFORE, Kelly Armstrong, as Governor of North Dakota, by virtue of the authority vested in Article V, Section 1 of the North Dakota Constitution, declares the objective of Executive Order 2026-04 met and hereby orders:

1. Executive Order 2026-04 is hereby rescinded in its entirety.
2. This Executive Order and the rescission of Executive Order 2026-04, become effective immediately upon the filing of the legislative bills passed during the September 2026 special session with the Secretary of State.

This order is issued under Article V, Section 1 of the North Dakota Constitution.

Executed at Bismarck, North Dakota, this 4th day of September, 2026.



Kelly Armstrong
Governor

Attest:



Michael Howe
Secretary of State

