SYNOPSIS
Permits limited pharmacy sales of syringes and needles without a prescription.

CURRENT VERSION OF TEXT
As reported by the Senate Health, Human Services and Senior Citizens Committee on January 20, 2011, with amendments.
AN ACT concerning the sale and possession of hypodermic syringes and needles, supplementing Title 2C of the New Jersey Statutes and Title 45 of the Revised Statutes, and repealing N.J.S.2C:36-6.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. Notwithstanding any State law, rule or regulation to the contrary, a licensed pharmacy may sell a hypodermic syringe or needle, or any other instrument adapted for the administration of drugs by injection, to a person over 18 years of age as follows:
   (1) without a prescription if sold in quantities of 10 or fewer; and
   (2) pursuant to a prescription issued by a person authorized to prescribe under State law if sold in quantities of more than 10.
   b. Notwithstanding any State law, rule or regulation to the contrary, possession of a hypodermic syringe or needle pursuant to paragraph (1) of subsection a. of this section shall not constitute an offense pursuant to N.J.S.2C:36-1 et seq.
   c. A person who purchases a hypodermic syringe or needle pursuant to subsection a. of this section and sells that needle or syringe to another person is guilty of a [crime of the fourth degree] disorderly persons offense.

2. A pharmacy that sells hypodermic syringes or needles, or any other instrument adapted for the administration of drugs by injection, shall do so in accordance with the provisions of section 1 of P.L. , c. (C.) (pending before the Legislature as this bill) and shall:
   a. keep its supply of such instruments under or behind the sales counter and accessible only to a person standing behind the sales counter; and
   b. make available to each person who purchases any such instrument, at the time of purchase, information [developed by the New Jersey State Board of Pharmacy pursuant to section 3 of P.L. , c. (C.) (pending before the Legislature as this bill)] as appropriate to the purchaser, about:
      (1) the safe disposal of the instrument, including local disposal locations or a telephone number to call for that information; and
      (2) [drug addiction] substance abuse treatment, including a telephone number to call for assistance in obtaining treatment.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
Senate SHH committee amendments adopted January 20, 2011.
3. **a.** The New Jersey State Board of Pharmacy shall, in consultation with the Department of Health and Senior Services, develop information to be provided pursuant to section 2 of P.L. , c. (C. ) (pending before the Legislature as this bill). The board shall make the information available to pharmacies and purchasers of hypodermic syringes or needles through its internet website.

**b.** The New Jersey State Board of Pharmacy, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt rules and regulations to effectuate the purposes of section 2 of P.L. , c. (C. ) (pending before the Legislature as this bill).

4. N.J.S.2C:36-6 is repealed.

5. This act shall take effect on the 180th day after enactment, except that the New Jersey State Board of Pharmacy may take such anticipatory administrative action in advance as shall be necessary for the implementation of the act.