

2A:170-25.17

LEGISLATIVE HISTORY CHECKLIST

NJSA 2A:170-25.17 (Disposal of hypodermic syringes & needles)

Laws of 1972 Chapter 143

Bill No. S132

Sponsor(s) Cafiero

Date Introduced Pre-filed

Committee: Assembly Law, Public Safety & Defense

Senate Law, Public Safety & Defense

Amended during passage Yes ~~No~~ Amendment during passage denoted by asterisks.

Date of passage: Assembly April 6

Senate Feb. 14

Date of approval Aug. 31, 1972

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes ~~No~~

Fiscal Note Yes No

Veto message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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SENATE, No. 132

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1972 SESSION

By Senator CAFIERO

AN ACT concerning disorderly persons and supplementing chapter
170 of Title 2A of the New Jersey Statutes.

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

1 1. No person shall discard or abandon in any public or private
2 place accessible to any other person, whether or not the other
3 person may be a trespasser, any disposable or reusable hypo-
4 dermic needle or syringe, without first destroying the needle or
5 syringe; nor shall any owner, lessee or other person in control of
6 premises accessible to any other person, whether or not the other
7 person may be a trespasser, knowingly permit discarded or aban-
8 doned hypodermic needles or syringes to remain on said premises
9 in an intact condition.

10 For purposes of this act, a hypodermic needle or syringe shall be
11 deemed destroyed only if the needle is broken from the hub, in the
12 case of a needle, and the nipple of the barrel is broken from the
13 barrel and the plunger is broken, **or the plunger and barrel are*
13A *melted by autoclaving,** in the case of a syringe.

14 Any person who violates the provisions of this act is a disorderly
15 person and shall be punished by a fine not exceeding \$500.00 or by
16 imprisonment for not more than 5 days, or both.

1 2. This act shall take effect immediately.

SENATE LAW, PUBLIC SAFETY AND DEFENSE
COMMITTEE

STATEMENT TO
SENATE, No. 132

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 1972

Pursuant to chapter 277 of the Laws of 1955, it is illegal to possess or have under control a hypodermic needle, hypodermic syringe, or any other instrument to inject drugs subcutaneously, unless the possessor is one of a statutory list of persons or institutions legally permitted to do so (C. 2A:170-77.5). It is further illegal to dispose of, sell, or furnish such instruments to persons or institutions other than those to whom it is statutorily permissible (C. 2A:170-77.3).

There is, however, no statutory guidance with respect to the discarding or abandoning of disposable or reusable hypodermic needles or syringes. That is, it is legally permissible for a doctor or hospital to deposit used, but reusable hypodermic needles or syringes in refuse containers, often accessible to persons who may have illegal need for same.

Senate Bill No. 132 would supplement chapter 170 of Title 2A and make it a disorderly persons offense, punishable by a maximum fine of \$500.00 or 5 days in prison, for anyone to discard or abandon a hypodermic needle or syringe in any accessible place without first destroying same or for anyone owning, leasing, or controlling accessible premises to knowingly permit such discarded or abandoned instruments to remain on said premises in an intact condition.

In order to destroy a hypodermic needle the needle must be broken from the hub, and in order to destroy a syringe the nipple of the barrel must be broken from the barrel.