

24:21-18

LEGISLATIVE HISTORY CHECKLIST

PLSA 24:21-18 (Individual may possess one day supply of drugs)

LAWS OF 1977 CHAPTER 428

Bill No. A3364

Sponsor(s) Spizziri

Date Introduced June 20, 1977

Committee: Assembly Judiciary, Law, Public Safety & Defense

Senate Law, Public Safety & Defense

Amended during passage Yes XXX

Amendments during passage denoted by asterisks

Date of Passage: Assembly Nov. 28, 1977

Senate Jan. 10, 1978

Date of approval Feb. 27, 1978

Following statements are attached if available:

Sponsor statement Yes XXX

Committee Statement: Assembly Yes XXX

Senate Yes XXX

Fiscal Note XXX No

Veto Message XXX No

Message on signing Yes XXX

Following were printed:

Reports XXX No

Hearings XXX No

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**ASSEMBLY, No. 3364**

**STATE OF NEW JERSEY**

INTRODUCED JUNE 20, 1977

By Assemblymen SPIZZIRI, MARKERT, MAGUIRE, EWING,  
Assemblywoman CURRAN, Assemblymen FORAN, SAXTON,  
PERKINS, VISOTCKY, ORECHIO, WEIDEL, Assemblywoman  
BURGIO, Assemblymen KUPPERMAN, BASSANO, HURLEY,  
D. GALLO, STEWART and HERMAN

Referred to Committee on Judiciary, Law, Public Safety  
and Defense

AN ACT to amend the "New Jersey Controlled Dangerous Sub-  
stances Act," approved October 19, 1970 (P. L. 1970, c. 226).

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

1 1. Section 18 of P. L. 1970, c. 226 (C. 24:21-18) is amended to  
2 read as follows:

3 18. Drug to be kept in original container. An individual to whom  
4 or for whose use any controlled dangerous substance has been pre-  
5 scribed, sold or dispensed, by a practitioner and the owner of any  
6 animal for which any such substance has been prescribed, sold, or  
7 dispensed by a veterinarian, may lawfully possess it only in the  
8 container in which it was delivered to him by the person selling or  
9 dispensing the same; *provided, however, that an individual may*  
10 *possess a \***[one day's]**\* \*10 days'\* supply of a controlled danger-*  
11 *ous substance in other than the original container if he has on his*  
12 *person the name, address and registry number of the practitioner*  
13 *who dispensed the substance, the identifying number under which*  
14 *the prescription is recorded, the name, address and registry num-*  
15 *ber of the practitioner prescribing it, the name of the substance,*  
16 *and the directions for its use by the individual or his animal. \*It*  
17 *shall be the responsibility of the practitioner who dispensed the*  
18 *controlled dangerous substance, or alternatively, the physician*  
19 *who prescribed it, to provide the individual with a writing on which*  
20 *the information listed above is printed.\**

1 2. This act shall take effect immediately.

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

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7 dispensed by a veterinarian, may lawfully possess it only in the  
8 container in which it was delivered to him by the person selling or  
9 dispensing the same; *provided, however, that an individual may*  
10 *possess a one day's supply of a controlled dangerous substance in*  
11 *other than the original container if he has on his person the name,*  
12 *address and registry number of the practitioner who dispensed the*  
13 *substance, the identifying number under which the prescription is*  
14 *recorded, the name, address and registry number of the practi-*  
15 *tioner prescribing it, the name of the substance, and the directions*  
16 *for its use by the individual or his animal.*

1 2. This act shall take effect immediately.

### STATEMENT

This bill would amend the existing law to allow for an individual  
to possess a one day's supply of a prescribed, sold or dispensed

controlled dangerous substance either for himself or an animal of which he is the owner in other than the original container under the following conditions. He must have on his person the name and complete address of the practitioner or veterinarian who dispensed the substance and an identifying number under which the prescription is recorded, together with the name of the practitioner or veterinarian prescribing it, the name of the substance, and the directions for the use of the prescription by the individual or his animal.

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY  
AND DEFENSE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3364**

with Committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 3, 1977

This bill would amend the existing law to allow for an individual to possess a 10 days' supply of a prescribed, sold or dispensed controlled dangerous substance either for himself or an animal of which he is the owner in other than the original container under the following conditions. He must have on his person the name and complete address of the practitioner or veterinarian who dispensed the substance and an identifying number under which the prescription is recorded, together with the name of the practitioner or veterinarian prescribing it, the name of the substance, and the directions for the use of the prescription by the individual or his animal. It would be the responsibility of the practitioner who dispensed the substance, or in the alternative, the physician who prescribed it, to provide the individual with a writing containing the required information.

SENATE LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3364**

with Assembly committee amendments

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**STATE OF NEW JERSEY**

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DATED: DECEMBER 15, 1977

This bill would amend the Control Dangerous Substances Act by permitting individuals, under certain conditions, to possess up to a 10 day's supply of a lawfully obtained controlled dangerous substance, for himself or an animal, of which he is the owner, in a container other than the original. He would be required to have a writing on him with (1) the name and address of the practitioner or veterinarian who dispensed the drug, (2) the prescription record identification number, (3) the name, address and registration number of the person who prescribed the drug, (4) the name of the substance, (5) and the directions for use by the individual or his pet.

The dispensing practitioner or alternatively the physician would have the responsibility of providing the individual with that writing.

Many individuals who have to purchase medications in bulk, such as persons suffering epilepsy, would be severely hampered by a continuing requirement that they carry prescriptions in their original container.

A case arose in Woodbridge some time ago where an individual was arrested for carrying a portion of a prescription of valium in an unmarked container. As a result of that case many New Jerseyans discovered that they were unwittingly violating the controlled dangerous substances act.

This bill is intended to alleviate the problem while providing safeguards.

The Department of the Public Advocate recommended amendments to the original legislation which were adopted in the Assembly committee. The original bill would have only permitted 1 day's supply of medication to be carried by individuals and did not require the statement outlined above.

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FEBRUARY 27, 1978

MAR 28 1978

KATHY FORSYTH

Acting Governor Joseph W. State Street Monday signed the following bills:  
Trenton, N. J.

A-1499, sponsored by Assemblyman Walter Rand (D-Camden), which permits volunteer firemen and first aid rescue workers to install short-wave radios in their cars.

Prior law allowed such units only in cars owned by firemen, policemen, state, county and local officials.

A-3232(OCR), sponsored by Assemblyman Walter J. Kozloski (D-Monmouth), which amends the statutes concerning the licensing and bonding of brokers and perishable agricultural commodities.

The bill provides a maximum of \$50,000, based upon a formula determined by the Department of Agriculture, for the amount of bond to be required by such brokers and authorizes the requirement of an additional bond, in some cases, with the total amount of the bonds not to exceed \$100,000.

It also establishes a 90-day period for the filing of claims against the bonds and imposes penalties of up to \$3,000 upon any grower or producer of perishable agricultural commodities, poultry producers who knowingly sell or utilize the services of an unlicensed broker.

A-3364(OCR), sponsored by former Assemblyman John A. Spizzeri (R-Bergen), which allows an individual to possess ten days supply of a prescribed, sold or dispensed controlled dangerous substance either for himself or for an animal of which he is the owner in other than the original container under certain conditions.

Under prior law, an individual to whom a controlled dangerous substance has been prescribed may lawfully possess it only in the container in which it was prescribed. The bill is intended to help people who purchase medications in bulk, such as those suffering from epilepsy.



In order to possess the substance in another container, the individual must have on his person the name and complete address of the practitioner or veterinarian who dispensed the substance and an identifying number under which the prescription is recorded, together with the name of the practitioner or veterinarian who prescribed it, the name of the substance and directions for its use. The responsibility for providing this information rests with the practitioner who dispensed the substance or the physician who prescribed it.

S-3489, sponsored by former Senator Stephen Wiley (D-Morris), which permits non-operating school districts to use the local share of their capital reserve fund accounts and the interest accumulated on that fund for current expenses of the district.

Non-operating school districts have no school buildings, and the current expenses of these districts are essentially tuition payments to other school districts.

S-1711, sponsored by Senator Martin Greenberg (D-Essex), which permits urban aid municipalities and municipalities certified by the Department of Community Affairs as qualifying for urban aid in every respect except population to establish "urban growth zones" by ordinance.

Once the ordinance is adopted, the municipality is eligible for assistance from the Economic Development Authority.

The ordinances creating the zones will be adopted by the municipalities in conjunction with the advice of the EDA, and the interaction between the EDA and the municipality will be in the nature of a negotiated agreement which includes any restrictions which the municipality wishes to impose on industrial development, such as height restrictions and type of industry restrictions. However, the zone would be exempt from other municipal land use ordinances.

The bill is a companion to S-1712, signed last week by Governor Byrne.