

CHAPTER 35

AN ACT concerning the collection and disposal of certain drugs and medications, supplementing Title 24 of the Revised Statutes.

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

C.24:21-55 “Project Medicine Drop” program.

1. a. There is established and continued in the Department of Law and Public Safety the “Project Medicine Drop” program, which shall be administered by the Director of the Division of Consumer Affairs.

b. The purpose of the program shall be to provide for the secure collection and safe disposal of unused and expired prescription drugs and other common household medications that are surrendered by members of the public in accordance with the program.

c. The director shall continue to maintain at each participating law enforcement agency that meets program participation requirements a secure prescription medicine drop-off receptacle wherein unused or expired prescription drugs and other common household medications may be anonymously surrendered by members of the public seven days a week, 365 days a year.

d. Within the limits of funds made available for purposes of the program, the director shall supply and install at each participating law enforcement agency that agrees to participate in the program on or after the effective date of P.L.2015, c.35 (C.24:21-55 et seq.) and meets program requirements a secure prescription medicine drop-off receptacle wherein unused or expired prescription drugs and other common household medications may be anonymously surrendered by members of the public seven days a week, 365 days a year.

e. Within the limits of funds made available for purposes of the program, the director shall deploy or cause to be deployed mobile secure prescription medicine drop-off receptacles wherein unused or expired prescription drugs and other common household medications may be anonymously surrendered by members of the public. The director shall arrange for the periodic deployment of the mobile receptacles by participating law enforcement agencies that are selected by the director at the times and in the places as shall be determined to be necessary and appropriate to provide maximum access to members of the public in all geographic regions of the State.

f. A law enforcement agency that does not maintain or otherwise have a secure prescription medicine drop-off receptacle on its premises shall display, in a conspicuous location, notice informing members of the public where the closest secure prescription medicine drop-off receptacles are located.

g. The Division of Consumer Affairs shall post on its Internet website a list of all secure prescription medicine drop-off locations in the State. The list shall include receptacles maintained by the division, as well as any receptacle located in the State that is approved by the federal Drug Enforcement Administration. The website shall contain locations of all receptacles, including hours of operation. The website shall also contain information about mobile receptacles and collection events.

h. A person, including, but not limited to, a participating law enforcement agency, pharmaceutical company, and any employee thereof, shall not be liable in any civil proceeding as a result of an act of commission or omission by that person arising out of and in the course of participation in, or assistance with, in good faith, the implementation and administration of the program established by this section, including, but not limited to, the drop-off, collection, and transport of unused or expired prescription drugs and other common household medications and the proper and safe disposal of those drugs and medications. The

immunity provided by this subsection shall not extend to a person who sells or attempts to sell any unused or expired prescription drugs or other common household medications surrendered in accordance with the program.

i. For purposes of this section:

“Law enforcement agency” means a State, county, or municipal police department or force or a federal law enforcement agency or other entity that is permitted to participate in the program by the Administrator of the Drug Enforcement Administration in the United States Department of Justice.

C.24:21-56 Rules, regulations.

2. Notwithstanding the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the Director of the Division of Consumer Affairs in the Department of Law and Public Safety may adopt immediately upon filing with the Office of Administrative Law such rules and regulations as the director determines to be necessary to implement the “Project Medicine Drop” program established by section 1 of P.L.2015, c.35 (C.24:21-55), which rules and regulations shall be effective for a period not to exceed 360 days following the effective date of P.L.2015, c.35 (C.24:21-55 et seq.) and may thereafter be amended, adopted, or readopted by the director in accordance with the requirements of P.L.1968, c.410.

3. This act shall take effect immediately .

Approved April 29, 2015.