

CHAPTER 222  
SB 44 – FINAL VERSION

24Apr2013... 1250h  
5June2013... 1600h

2013 SESSION

13-0434  
04/01

SENATE BILL **44**

AN ACT relative to the disposal of controlled drugs by law enforcement officers.

SPONSORS: Sen. Boutin, Dist 16; Sen. Carson, Dist 14; Sen. Larsen, Dist 15; Sen. Morse, Dist 22; Sen. Odell, Dist 8; Sen. Rausch, Dist 19; Sen. Stiles, Dist 24; Sen. Watters, Dist 4; Sen. Cataldo, Dist 6; Sen. Gilmour, Dist 12; Sen. Lasky, Dist 13; Sen. Reagan, Dist 17; Sen. Soucy, Dist 18; Sen. Sanborn, Dist 9; Sen. Fuller Clark, Dist 21; Rep. Jasper, Hills 37; Rep. Walz, Merr 23; Rep. Kotowski, Merr 24

COMMITTEE: Judiciary

---

AMENDED ANALYSIS

This bill amends the procedure for disposal of controlled drugs in the possession of a law enforcement officer and makes the department of justice responsible for adopting rules for the pharmaceutical drug take-back program.

-----

Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**CHAPTER 222**  
**SB 44 – FINAL VERSION**

24Apr2013... 1250h  
5June2013... 1600h

13-0434  
04/01

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                   relative to the disposal of controlled drugs by law enforcement officers.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           222:1 Controlled Drug Act; Disposal of Controlled Drugs in Possession of Law Enforcement  
2 Officer. Amend RSA 318-B:17, I-a and I-b to read as follows:

3           I-a. The [~~district~~] ***circuit*** court having jurisdiction over a misdemeanor ***or violation***  
4 controlled drug offense may order such controlled drugs forfeited and destroyed upon written motion.  
5 Such order shall not be entered until after the period for appeal of the offense has expired.

6           I-b. The [~~district~~] ***circuit*** court shall require the same record and reporting of the officer  
7 who is destroying the controlled drugs as is required under paragraph I for the superior court, with  
8 the exception of notification to the Drug Enforcement Administration.

9           222:2 Pharmaceutical Drug Take-Back Program Authorized. Amend RSA 318-E:1, III to read as  
10 follows:

11           III. The department of justice, ***in consultation with the*** pharmacy board, ***the*** department  
12 of safety, and ***the*** department of environmental services shall [~~jointly~~] establish [~~guidelines by rule~~]  
13 ***rules***, pursuant to RSA 541-A, for the collection, storage, and disposal of collected drugs in  
14 accordance with applicable state and federal statutes and regulations.

15           222:3 Effective Date. This act shall take effect January 1, 2014.

16

17 Approved: July 12, 2013

18 Effective Date: January 1, 2014