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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS

Introduced By: Senator Stephen R. Archambault

Date Introduced: April 30, 2014

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-35.1-10 of the General Laws in Chapter 5-35.1 entitled
2 "Optometrists" is hereby amended to read as follows:

3 **5-35.1-10. Unlawful sale of spectacles.** -- It is unlawful for any person, firm, or
4 corporation to sell, as merchandise, in any store or established place of business in the state, any
5 eyeglasses, spectacles, or lenses for the correction of vision, unless a licensed optometrist,
6 physician, or optician under the laws of this state is in charge and in personal attendance at the
7 booth, counter, or place where those articles are sold in a store or established place of business.
8 The provisions of this section shall not be construed to apply to the sale of **simple** reading
9 magnifying glasses, toy glasses, goggles consisting of plano white or plano colored lenses or
10 ordinary colored glasses, or to optometrists, physicians, or opticians who sell spectacles,
11 eyeglasses or lenses by prescription; provided, that a seller of **simple** reading magnifying glasses
12 shall have the following notice permanently affixed in plain view to the top of any point of sale
13 display. "These magnifiers are not intended to be a substitute for corrective lenses; only a
14 professional eye examination can determine your eye health status and vision needs." This notice
15 shall also be prominently displayed in all newspaper, magazine, and other advertisements for
16 **simple** reading magnifying glasses. As used in this section, "**simple** reading magnifying glasses"
17 do not include lenses of bifocal design or single vision lenses of over plus ~~2.5~~ 3.5 diopters or
18 equivalent magnification.

19 SECTION 2. Section 5-35.2-5 of the General Laws in Chapter 5-35.2 entitled "Opticians"

1 is hereby amended to read as follows:

2 **5-35.2-5. Unlawful sale of spectacles.** -- It is unlawful for any person, firm, or
3 corporation to sell, as merchandise, in any store or established place of business in the state, any
4 eyeglasses, spectacles, or lenses for ~~ineffective~~ the correction of vision, unless a licensed
5 optometrist, physician, or optician under the laws of this state is in charge and in personal
6 attendance at the booth, counter, or place where those articles are sold in that store or established
7 place of business. The provisions of this section shall not be construed to apply to the sale of
8 ~~simple~~ reading magnifying glasses, toy glasses, goggles consisting of ~~piano~~ plano white or ~~piano~~
9 plano colored lenses or ordinary colored glasses, or to optometrists, physicians, or opticians who
10 sell spectacles, eyeglasses, or lenses in prescription; provided, that seller of ~~simple~~ reading
11 magnifying glasses shall have the following notice permanently affixed in plain view to the top of
12 any point of sale display: "These magnifiers are not intended to be substitute for corrective lenses;
13 only a professional eye examination can determine your eye health status and vision needs." This
14 notice shall also be prominently displayed in all newspaper, magazine, and other advertisements
15 for ~~simple~~ reading magnifying glasses. As used in this section, "~~simple~~ reading magnifying
16 glasses" do not include lenses of bifocal design or single vision lenses of over plus ~~2.5~~ 3.5
17 diopters or equivalent magnification.

18 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS

1 This act would clarify the exemption that allows for the sale by non-professionals of so-
2 called "reading" glasses.

3 This act would take effect upon passage.

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