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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~~ 3.25 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 ~~incorrective~~ uncorrected vision, unless a licensed optometrist,
5 physician, or optician under the laws of this state is in charge and in personal attendance at the
6 booth, counter, or place where those articles are sold in that store or established place of business.
7 The provisions of this section shall not be construed to apply to the sale of simple reading
8 magnifying glasses, toy glasses, goggles consisting of ~~plane~~ plano white or ~~plane~~ plano colored
9 lenses or ordinary colored glasses, or to optometrists, physicians, or opticians who sell spectacles,
10 eyeglasses, or lenses in prescription; provided, that a seller of simple reading magnifying glasses
11 shall have the following notice permanently affixed in plain view to the top of any point of sale
12 display: "These magnifiers are not intended to be substitute for corrective lenses; only a
13 professional eye examination can determine your eye health status and vision needs." This notice
14 shall also be prominently displayed in all newspaper, magazine, and other advertisements for
15 simple reading magnifying glasses. As used in this section, "simple reading magnifying glasses"
16 do not include lenses of bifocal design or single vision lenses of over plus ~~2.5~~ 3.25 diopters or
17 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 change the definition of "simple reading magnifying glasses" to exclude
- 2 lenses of over plus 3.25 diopters or equivalent magnification.
- 3 This act would take effect upon passage.

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