

REVENUE: No revenue impact

FISCAL: No fiscal impact

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 10 - 0 - 0 |
| Yeas: | Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger |
| Nays: | 0 |
| Exc.: | 0 |
| Prepared By: | Bill Taylor, Counsel |
| Meeting Dates: | 2/11, 2/25, 3/3 |

WHAT THE MEASURE DOES: Holds a fraternal organization that is a charitable corporation not liable for any damages arising out of providing eyeglasses, hearing aids or other medical devices to a person without charge. Applies to fraternal organizations only when they provide used eyeglasses or hearing aids to a person who is at least 14 years of age and provided without charge. Applies only if the eyeglasses are provided by a licensed optometrist or ophthalmologist who examined the person receiving the eyeglasses and issued a prescription for the glasses.

ISSUES DISCUSSED:

- Need for professional evaluation of patient's eyes
- Lions Clubs collection and distribution of eyeglasses

EFFECT OF COMMITTEE AMENDMENT: Makes the bill applicable to fraternal organizations only when they provide used eyeglasses or hearing aids to a person who is at least 14 years of age and provided without charge. Applies only if the eyeglasses are provided by a licensed optometrist or ophthalmologist who examined the person receiving the eyeglasses and issued a prescription for the glasses.

BACKGROUND: A "charitable corporation" is a nonprofit corporation organized under the laws of this state for charitable or eleemosynary purposes and any similar foreign corporation doing business or holding property in this state for such purposes. The solicitation of funds for charitable purposes in this state constitutes doing business here. The Lions Clubs, a charitable fraternal organization, have for years collected used eyeglasses and hearing aids. They distribute them in other countries, usually Mexico, because they are concerned about liability if they distributed them in this country.