

Sponsored By: Senator(s) Barnard, Driskill and Hicks

AN ACT relating to consumer protection; creating the Consumer Protection in Eye Care Act; providing definitions; specifying prohibited acts; providing exemptions; providing requirements to operate a kiosk; establishing standards as specified; providing for enforcement as specified; providing rulemaking authority; providing for a repeal date; and providing for an effective date.

2/10/2016 Bill Number Assigned
2/11/2016 S Received for Introduction
2/12/2016 S Introduced and Referred to S07 - Corporations 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Case, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/16/2016 S07 - Corporations:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Case, Hicks, Meier, Pappas, Scott

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/16/2016 S Placed on General File

SF0095SS001/ADOPTED

Page 1-line 5 Delete "for joint".
Page 1-line 6 After "rulemaking" insert "authority" and delete balance of line.
Page 1-line 7 Delete "the state board of medicine".
Page 2-after line 15 Insert:
 "(i) "Board" means the Wyoming state board of examiners in optometry, created by W.S. 33-23-104;".
Page 2-line 17 Delete "(i)" insert "(ii)".
Page 2-line 21 Delete "(ii)" insert "(iii)".
Page 3-line 1 Delete "(iii)" insert "(iv)".
Page 3-line 8 Delete "(iv)" insert "(v)"; delete "a physical" insert "an".
Page 3-line 16 Delete "(v)" insert "(vi)".
Page 3-line 21 Delete "(vi)" insert "(vii)".
Page 4-line 2 After "conduct" insert "or assist with any component of".
Page 4-line 4 Delete "(vii)" insert "(viii)".
Page 4-line 18 Delete "(viii)" insert "(ix)".
Page 5-line 1 Delete "(ix)" insert "(x)".
Page 5-line 3 After "33-23-118" delete balance of line.
Page 5-line 4. Delete "33-26-101 et seq.".
Page 5-line 6 Delete "(x)" insert "(xi)".
Page 6-line 3 After ";" insert "and".

Page 6-lines 5 and 6 Delete.
 Page 6-line 8 Delete "(iv)" insert "(iii)".
 Page 7-line 20 After "site" insert "with a provider within two
 (2) years of engaging kiosk services".
 Page 9-line 1 Delete "**jurisdiction**";.
 Page 9-lines 3 through 23 Delete and insert:
 "(a) Any person who violates any provision of W.S. 40-12-701
 through 40-12-707 is guilty of a misdemeanor and upon conviction shall
 be fined not more than seven hundred fifty dollars (\$750.00) or
 imprisoned not more than six (6) months in the county jail, or both.
 (b) For any person aggrieved by a violation of W.S. 40-12-701
 through 40-12-707, the Wyoming state board of examiners of optometry,
 the attorney general or the district attorney may institute suit in the
 county in which the violation of W.S. 40-12-701 through 40-12-707
 occurred to require enforcement by injunctive procedures and to recover
 a civil penalty not to exceed ten thousand dollars (\$10,000.00) for
 each separate violation, plus costs.
 (c) Where a civil penalty is sought the defendant shall be
 entitled to a jury trial".
 Page 10-lines 1 through 14 Delete.
 Page 10-line 16 Delete "**Joint**".
 Page 10-lines 18 through 20 Delete and insert "The board shall adopt
 rules and regulations to administer this act
 pursuant to the Wyoming Administrative
 Procedure Act, W.S. 16-3-101 et seq."
 Page 11-line 1 After "(e)" delete ",".
 Page 11-line 2 Delete.
 Page 11-line 3 Delete "and 33-26-401(a) are" insert "is".
 Page 11-line 23 Delete.
 Page 12-lines 2 through 22 Delete. CASE, CHAIRMAN

SF0095SW001/ADOPTED

Page 1-line 7 Before "and" insert "providing for a repeal
 date;".
 Page 4-line 4 After "any" insert "ready to wear".
 Page 4-line 8 After "(A)" delete entirely and insert "Are
 sold over the counter where consumer selects
 the device to be purchased;".
 Page 4-lines 9 and 10 Delete.
 Page 4-line 12 After "uniform" delete balance of line and
 insert "lenses".
 Page 4-line 13 Delete.
 Page 4-lines 15 and 16 Delete.
 Page 12-after line 22 Insert "**Section 3.** W.S. 33-23-118 and 40-12-701
 through 40-12-707 are repealed effective July
 1, 2027".
 Page 13-line 1 Delete "**Section 3.**" insert "**Section 4.**". MEIER,
 CASE

2/18/2016 S COW:Passed
 2/19/2016 S 2nd Reading:Laid Back

SF0095S2001/ADOPTED

Page 1-line 3 After "acts;" insert "providing exemptions;".
 Page 5-line 9 After "**acts**" insert "; **exemptions**".
 Page 6-after line 9 Insert:

"(b) Nothing in this act shall be construed as restricting the practice, services or activities of any person licensed under title 33 of Wyoming statutes while practicing within the scope of practice provided under the person's licensure act under title 33 of Wyoming statutes.". SCOTT

2/22/2016 S 2nd Reading:Passed
2/23/2016 S 3rd Reading:Passed 29-1-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Barnard, Bebout, Boner, Burns, Christensen, Coe, Cooper, Craft, Dockstader, Driskill, Emerich, Esquibel, F., Geis, Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas, P., Pappas, Perkins, Peterson, Ross, Rothfuss, Scott, Von Flatern, Wasserburger

Nays: Senator Case

Ayes 29 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/24/2016 H Received for Introduction
2/24/2016 H Introduced and Referred to H07 - Corporations
2/26/2016 H07 - Corporations:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Blackburn, Byrd, Gay, Jennings, Kirkbride, Lindholm, Paxton, Zwonitzer, Dn.

Nays: Representative Edwards

Ayes 8 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/26/2016 H Placed on General File

SF0095HS001/ADOPTED (TO ENGROSSED COPY)

Page 1-line 12 Delete "40-12-707" insert "40-12-708".
Page 2-line 1 Before "The board" insert "(a)".
Page 2-After line 3 Insert:
"(b) This section is repealed effective July 1, 2027."
Page 6-line 4 After "(b)" insert "Except for a person
licensed under W.S. 33-23-101 through 33-23-
118,".
Page 10-After line 3 Insert:
"**40-12-708. Sunset.**
W.S. 40-12-701 through 40-12-707 are repealed effective July 1, 2027."
Page 11-lines 4 and 5 Delete entirely.
Page 11-line 7 Delete "**Section 4**" insert "**Section 3**".
ZWONITZER, DN., CHAIRMAN

2/29/2016 H COW:Passed

SF0095H2001/ADOPTED (TO ENGROSSED COPY)

Page 9-lines 3 through 7 Delete entirely.
Page 9-line 9 Delete "(b)" insert "(a)".
Page 9-line 18 Delete "(c)" insert "(b)". GREEAR, KASPERIK

SF0095H2002/WITHDRAWN

3/1/2016 H 2nd Reading:Passed
3/2/2016 H 3rd Reading:Laid Back 39-17-4-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Barlow, Berger, Blackburn, Blake, Byrd, Campbell, Cannady, Clem, Dayton, Edmonds, Edwards, Eklund, Esquibel, K., Freeman, Greear, Halverson, Harvey, Hunt, Jennings, Kasperik, Kinner, Kirkbride, Kroeker, Krone, Larsen, Lindholm, Lockhart, Loucks, Nicholas, B., Pelkey, Pownall, Reeder, Schwartz, Stubson, Throne, Wilson, Zwonitzer, Dn.

Nays: Representative(s) Baldwin, Brown, Burkhart, Connolly, Harshman, Laursen, Madden, McKim, Miller, Moniz, Northrup, Paxton, Petroff, Sommers, Steinmetz, Walters, Winters

Excused: Representative(s) Gay, Jaggi, Piiparinen, Zwonitzer, Dv.

Ayes 39 **Nays** 17 **Excused** 4 **Absent** 0 **Conflicts** 0

3/4/2016 H postponed indefinitely