

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1469 - SB 1567

February 8, 2016

SUMMARY OF ORIGINAL BILL: Grants immunity to certain organizations from civil liability for damages arising out of dispensing previously owned eyeglasses to a person. This immunity is provided to a sponsoring organization, a free clinic, or a tax exempt organization that provided previously owned eyeglasses to a sponsoring organization or free clinic. Such immunity is only applicable when the person to whom the previously owned eyeglasses are dispensed is 14 years of age or older, the eyeglasses have been dispensed without charge, and such eyeglasses are dispensed by a licensed optometrist or ophthalmologist who has personally examined the recipient of the eyeglasses and issued a prescription for the eyeglasses or has personally consulted with the licensed optometrist or ophthalmologist who issued a prescription for the eyeglasses.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (011847): Deletes and replaces the amendatory language in Section 1 of the original bill. Grants immunity to certain organizations from civil liability for damages arising out of dispensing previously owned eyeglasses to a person. This immunity is provided to a sponsoring organization, a free clinic and any optometrist, ophthalmologist, or dispensing optician providing services at the free clinic, or a tax exempt organization that provides previously owned eyeglasses to a sponsoring organization or free clinic. Such immunity is only applicable when the person to whom the previously owned eyeglasses are dispensed is 14 years of age or older, the eyeglasses have been dispensed without charge, and before such eyeglasses are dispensed, a licensed optometrist or ophthalmologist who has personally examined the recipient of the eyeglasses and issued a prescription for the eyeglasses or has personally consulted with the licensed optometrist or ophthalmologist who issued a prescription for the eyeglasses. The previously owned glasses may be dispensed by an optometrist or ophthalmologist or a dispensing optician working with the optometrist or ophthalmologist.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

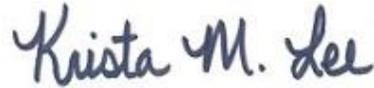
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Assumptions for the bill as amended:

- Based on information provided by the Administrative Office of the Courts, no stats exist providing the number of civil lawsuits arising from damages sustained from free eyeglasses distributed from a sponsoring organization, free clinic, or a tax exempt organization.
- Any direct increase or decrease in the number of cases filed within the court system as a result of establishing this immunity will be minimal and will result in no significant fiscal impact to state or local government.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/jdb