

ADOPTED SENATE

1 Senator Mullis of the 53rd offered the following amendment:

2 *Amend HB 881 by inserting between lines 12 and 13 of page 2:*

3 "(b.1)(1) Beginning July 1, 2006, a manufacturer of contact lenses doing business in the
4 state shall certify by affidavit to the Attorney General those brands of contact lenses
5 produced, marketed, distributed, or sold by the manufacturer in the state that are made
6 available in a commercially reasonable and nondiscriminatory manner to prescribers;
7 entities associated with prescribers; and alternative channels of distribution.

8 (2) Notwithstanding any other provision of law, a manufacturer shall only sell, market, or
9 distribute lenses in Georgia that have been certified under paragraph (1) of this subsection.

10 (3) This subsection shall not apply to rigid gas permeable lenses; bitoric gas permeable
11 lenses; bifocal gas permeable lenses; keratoconus lenses; custom soft toric lenses that are
12 manufactured for an individual patient and are not mass marketed or mass produced; or
13 custom designed lenses that are manufactured for an individual patient and are not mass
14 marketed or mass produced.

15 (4) Any time a brand ceases to be made available after July 1, 2006, the manufacturer shall
16 immediately certify that fact by affidavit to the Attorney General.

17 (5) Nothing in this subsection shall be construed to require a prescriber to stock, sell, or
18 prescribe any specific type brand or specific manufacturer's line of contact lenses.

19 (6) A knowing and intentional violation of this subsection shall constitute a misdemeanor.
20 The Attorney General may bring a civil action pursuant to this subsection."