

REFERENCE TITLE: contact lens pricing; antitrust violation

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SB 1444

Introduced by
Senator Smith; Representative Carter; Senators Farnsworth D, Shooter,
Worsley; Representatives Campbell, Kern, Lawrence, Leach, Livingston,
Montenegro, Petersen, Robson, Shope, Thorpe

AN ACT

AMENDING TITLE 44, CHAPTER 11, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2;
RELATING TO PRESCRIPTION CONTACT LENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, chapter 11, Arizona Revised Statutes, is amended
3 by adding article 2, to read:

4 ARTICLE 2. PRESCRIPTION CONTACT LENSES

5 44-1611. Contact lens manufacturers; distributors; pricing;
6 prohibitions; antitrust violation

7 A. A MANUFACTURER OR DISTRIBUTOR OF PRESCRIPTION CONTACT LENSES MAY
8 NOT DO ANY OF THE FOLLOWING:

9 1. PREVENT ANY RETAILER FROM SELLING OR ADVERTISING CONTACT LENSES TO
10 CONSUMERS BELOW ANY SPECIFIED PRICE.

11 2. LIMIT THE ABILITY OF ANY RETAILER TO DETERMINE PRICES AT WHICH
12 PRESCRIPTION CONTACT LENSES ARE OFFERED OR ADVERTISED TO CONSUMERS.

13 3. RESTRICT OPTIONS THAT ARE AVAILABLE TO PRESCRIPTION CONTACT LENS
14 CONSUMERS BY DISCRIMINATING IN THE DISTRIBUTION OF PRESCRIPTION CONTACT
15 LENSES, INCLUDING DISCRIMINATING BASED ON THE CHANNELS OF TRADE.

16 B. A VIOLATION OF THIS SECTION IS A VIOLATION OF THE UNIFORM STATE
17 ANTITRUST ACT UNDER CHAPTER 10, ARTICLE 1 OF THIS TITLE.