



General Assembly

February Session, 2022

Raised Bill No. 329

LCO No. 2544



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE RETAIL OPERATION OF OPTICAL ESTABLISHMENTS, OFFICES AND STORES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-150 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) No optical glasses or kindred products or other instruments to aid
4 vision that are produced or reproduced to personalized given formulas,
5 or plano cosmetic contact lenses shall be sold at retail except under the
6 supervision of a licensed optician and in a registered optical
7 establishment, office or store. An optical establishment, office or store is
8 defined as meaning one the owner of which has had issued to him an
9 optical license selling permit.

10 (b) Notwithstanding the provisions of subsection (a) of this section,
11 an optical establishment, office or store, registered with the Department
12 of Public Health pursuant to section 20-151, as amended by this act, may
13 remain open to the public during regular business hours to sell the
14 products described in subsection (a) of this section without the

15 supervision of a licensed optician for a period of time deemed
16 reasonable by the department (1) in the event of reasonably
17 unanticipated circumstances, including, but not limited to, the licensed
18 optician's illness, injury, family emergency, or termination or
19 resignation from the optical establishment, office or store; (2) if
20 reasonable action is taken to have another licensed optician present at
21 the establishment, office or store during regular business hours, as
22 determined by the department; and (3) the optical establishment, office
23 or store posts clear and conspicuous signage that a licensed optician is
24 not on site, provided no owner or employee of the establishment, office
25 or store who is present in the establishment, office or store may perform
26 any function described in subsection (a) of section 20-146.

27 [(b)] (c) Nothing in subsection (a) of this section shall be construed to
28 limit the ability of a physician, licensed under chapter 370, who is
29 trained and specializes in diseases of the eye or an optometrist, licensed
30 under chapter 380, to dispense contact lenses.

31 [(c)] (d) A violation of the provisions of subsection (a) of this section
32 constitutes an unfair trade practice under subsection (a) of section 42-
33 110b.

34 (e) Nothing in subsection (a) of this section shall be construed to limit
35 a registered optical establishment, office or store from conducting any
36 business not described in subsection (a) of section 20-146 in the absence
37 of a licensed optician if the establishment, office or store satisfied the
38 requirements of subsection (b) of this section for remaining open to the
39 public.

40 Sec. 2. Section 20-151 of the general statutes is repealed and the
41 following is substituted in lieu thereof (*Effective October 1, 2022*):

42 (a) Any licensed optician and any optical department in any
43 establishment, office or store may apply to the Department of Public
44 Health for a registration certificate to sell at retail optical glasses and
45 instruments from given formulas and to make and dispense

46 reproductions of the same, in a shop, store, optical establishment or
47 office owned and managed by a licensed optician as defined in section
48 20-145 or where the optical department thereof is under the supervision
49 of such a licensed optician, and said registration shall be designated as
50 an optical selling permit. Said department shall grant such permits for a
51 period not exceeding one year, upon the payment of a fee of three
52 hundred fifteen dollars, and upon satisfactory evidence to said
53 department that such optical establishment, office or store is being
54 conducted in accordance with the regulations adopted under this
55 chapter. Such permit shall be conspicuously posted within such optical
56 establishment, office or store. All permits issued under the provisions of
57 this chapter shall expire on September first in each year.

58 (b) The provisions of this section shall not be construed to require a
59 permit from the Department of Public Health for an ophthalmic science
60 educational program offered by a regionally accredited institution of
61 higher education operating an optical establishment for the purpose of
62 providing practical training to students enrolled in such program.

63 (c) The provisions of this section shall not be construed to permit an
64 optical department in any establishment, office or store from displaying
65 optical glasses or kindred products or other instruments to aid vision
66 for purchase online without obtaining an optical selling permit from the
67 Department of Public Health pursuant to subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2022	20-150
Sec. 2	October 1, 2022	20-151

PH *Joint Favorable*