

ANDRÉ JACQUE

STATE SENATOR • 1ST SENATE DISTRICT

Phone: (608) 266-3512

Fax: (608) 282-3541

Sen.Jacque@legis.wi.gov

State Capitol • P.O. Box 7882
Madison, WI 53707-7882

*Testimony before the Assembly Committee on Community Development
State Senator André Jacque
February 4, 2020*

Chairman Allen and Members of the Assembly Committee on Community Development,

Thank you for holding this hearing on Assembly Bill 593, which will eliminate a key barrier to the provision of previously owned eyeglasses to those in need in our communities.

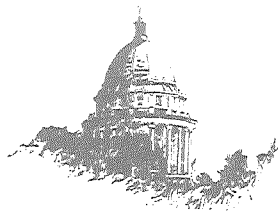
For the poor, eyeglasses can often be inaccessible, unaffordable or both, causing both social and economic challenges to learning, public safety and work opportunities. Every year the Lions Club processes over 800,000 pairs of eyeglasses. At their facility, these glasses are sorted, cleaned, categorized, bagged, and boxed in preparation for shipment all over the world. Over 450,000 pairs ship annually to 49 developing countries.

Currently, nonprofit organizations such as the Lions Club can be held liable for processing and distributing previously owned eyeglasses that later cause harm to users. This bill creates an exemption from liability for these organizations under the following circumstances:

- The recipient of the eyeglasses is at least 14 years old, and
- The eyeglasses are provided free of charge by the nonprofit organization, and
- The optometrist or ophthalmologist working for the nonprofit organization has either:
 - 1) Personally examined the person in need of the previously owned eyeglasses and issued a prescription for said eyeglasses.
 - 2) Personally consulted with a licensed optometrist or ophthalmologist who does not work for the nonprofit organization who issued the prescription.

This legislation is supported by both the Wisconsin Optometric Association and the Wisconsin Civil Justice Council.

Thank you for your consideration of Assembly Bill 593.



PAUL TITTL

STATE REPRESENTATIVE • 25TH ASSEMBLY DISTRICT

Assembly Committee on Community Development
Assembly Bill 593
February 4th, 2020

First of all, I would like to thank you, Chairman Allen and committee members, for allowing me to testify before you concerning Assembly Bill 593 relating liability exemption for the provision of previously owned eyeglasses.

Every year the Lions Club, an international non-profit service organization, processes over 800,000 pairs of eyeglasses. At their facility, these glasses are sorted, cleaned, categorized, bagged, and boxed in preparation for shipment all over the world.

The Lions Club ships over 450,000 pairs of glasses annually to 49 developing countries. However, people in Wisconsin are often surprised to learn the Lions Club does not distribute any eyeglasses to people in our state. As one person put it, “when people in other parts of the world receive free eyeglasses, we receive a sincere thanks; however, in our country people are apt to sue, because we live in a litigious society.”

Recognizing this concern, some states have revised their laws. For example, the State of Oregon changed its law following Hurricane Katrina so that its residents can donate eyeglasses to those affected by the natural disaster. The legislature unanimously approved it.

Currently, nonprofit organizations such as the Lions Club can be held liable for processing and distributing previously owned eyeglasses that later cause harm to users. For that reason, these non-profit groups do not distribute eyeglasses in the United States, except for Alaska, Arizona, and Oregon, who already have passed similar pieces of legislation.

This bill creates an exemption from liability for these organizations under the following circumstances:

- The recipient of the eyeglasses is at least 14 years old
- The eyeglasses are provided free of charge by the nonprofit organization, and
- The optometrist or ophthalmologist working for the nonprofit organization has either:
 - 1) Personally examined the person in need of the previously owned eyeglasses and issued a prescription for said eyeglasses.
 - 2) Personally consulted with a licensed optometrist or ophthalmologist who does not work for the nonprofit organization who issued the prescription.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions.

Capitol Office: Post Office Box 8953 • Madison, WI 53708-8953

(608) 266-0315 • Toll-Free: (888) 529-0025 • Fax: (608) 282-3625 • **Email:** Rep.Tittl@legis.wi.gov



WISCONSIN LIONS FOUNDATION, INC.



3834 County Road A • Rosholt, Wisconsin 54473
715-677-4969 • Fax: 715-677-4527
www.wlf.info • wlf@wlf.info

February 4, 2020

Dear Committee Members,

As the Manager of the Wisconsin Lions Foundation Eyeglass Recycling Center, I am providing a statement of support for Assembly Bill 593 which would provide a liability exemption for charitable organizations as related to providing previously owned eyeglasses to Wisconsinites.

The Wisconsin Lions Foundation Eyeglass Recycling Center is one of 18 eyeglass recycling centers in the world and collects approximately 600,000-800,000 pairs of used eyeglasses annually from citizens across the Midwest. These glasses are sorted, washed and shipped for eyeglass missions across the world. As vision problems tend to be regionally similar, these missions tend to use only a few of the available prescriptions. This means that right now, our Wisconsin Lions Foundation Eyeglass Recycling Center has an abundance of prescriptions available and we are working hard to find ways that these glasses can be used by people in Wisconsin who cannot afford to purchase eyeglasses.

We feel that many of our citizens, and the State as a whole, would benefit from our citizens receiving a free pair of glasses from our organization.

There are similar liability exemptions in other states like Oregon, and we support this liability exemption for Wisconsin. Thank you for your efforts on behalf our State of Wisconsin residents.

Sincerely,

Liz Shelley

Wisconsin Lions Eyeglass Recycling Manager