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**SUBSTITUTE SENATE BILL 6216**

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**State of Washington**

**62nd Legislature**

**2012 Regular Session**

**By** Senate Health & Long-Term Care (originally sponsored by Senators Padden, Regala, Hargrove, Baumgartner, Kohl-Welles, and Roach)

READ FIRST TIME 01/26/12.

1       AN ACT Relating to liability of nonprofit and charitable  
2 corporations; amending RCW 43.20A.800; and adding a new section to  
3 chapter 43.20A RCW.

4       BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       **Sec. 1.** RCW 43.20A.800 and 1993 c 96 s 2 are each amended to read  
6 as follows:

7       The secretary of the department of social and health services shall  
8 coordinate the efforts of nonprofit agencies working with the homeless,  
9 poor, and uninsured, the Washington academy of eye physicians and  
10 surgeons, the Washington optometric association, and the opticians  
11 association of Washington to deliver vision services to the homeless,  
12 poor, and uninsured free of charge. The secretary shall enter into  
13 agreements identifying cooperating agencies and the circumstances under  
14 which specified services will be delivered.

15       NEW SECTION. **Sec. 2.** A new section is added to chapter 43.20A RCW  
16 to read as follows:

17       (1) A nonprofit corporation and any other charitable corporation is

1 not liable for any damages arising out of providing previously owned  
2 eyeglasses to a person if:

3 (a) The person is at least fourteen years of age; and

4 (b) The eyeglasses are provided to the person without charge.

5 (2) The immunity provided by subsection (1) of this section applies  
6 to eyeglasses only if:

7 (a) The eyeglasses are provided by a licensed optometrist or  
8 ophthalmologist who has personally examined the person who will receive  
9 the eyeglasses; or

10 (b) The eyeglasses are provided by an optician who has consulted  
11 with the licensed optometrist or ophthalmologist who personally  
12 examined the person who will receive the eyeglasses.

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