

**CHAPTER 1097****REAL PROPERTY RAFFLE***H.F. 2230*

**AN ACT** relating to the raffle of real property by a qualified organization and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **REAL PROPERTY RAFFLE AUTHORIZED — TEMPORARY.** Notwithstanding a contrary provision of section 99B.7, upon application and payment of a fee of one hundred dollars, the department of inspections and appeals shall issue a raffle license to a tax-exempt, nonprofit, charitable organization for the purpose of raffling a parcel of real property which was acquired as a gift by the organization. The license shall allow the conducting of a raffle for not more than nine months during the 1994 calendar year. The real property to be raffled must be owned by the licensee before the effective date of this Act and the license to conduct the real estate raffle shall be purchased within ten days after the effective date of this Act. The value of the parcel of real property to be raffled may exceed twenty thousand dollars and the cost to participate in the raffle may exceed one dollar for each participant.

The licensee shall meet all other requirements for licensees under section 99B.2 and 99B.7. In addition, the licensee shall keep the receipts from the raffle in a separate financial account and shall file a cumulative report for the raffle by January 15, 1995, with the department of inspections and appeals in a form determined by the department.

The department of inspections and appeals shall conduct a special audit of the raffle by January 30, 1995, to verify compliance with the appropriate requirements of chapter 99B and this Act, except as otherwise provided in this Act. The department of inspections and appeals shall file a copy of the audit report with the governor and the general assembly on or before February 15, 1995.

Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 3. **REPEALER.** This Act is repealed effective January 1, 1995.

Approved April 19, 1994

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**CHAPTER 1098****CONTACT LENSES AND SPECTACLE LENSES***H.F. 2309*

**AN ACT** relating to the provision of contact lenses and spectacle lenses and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION.** 147.108 **CONTACT LENS PRESCRIBING AND DISPENSING.**

1. A person shall not dispense or adapt contact lenses without first receiving authorization to do so by a written prescription, except when authorized orally under subsection 2, from a person licensed under chapter 148, 150, 150A, or 154.

2. After contact lenses have been adequately adapted and the patient released from initial follow-up care by a person licensed under chapter 148, 150, 150A, or 154, the patient may request a copy, at no cost, of the contact lens prescription from that licensed person. A person licensed under chapter 148, 150, 150A, or 154 shall not withhold a contact lens prescription after the

requirements of this section have been met. The prescription, at the option of the prescriber, may be given orally only to a person who is actively practicing and licensed under chapter 148, 150, 150A, 154, or 155A. The contact lens prescription shall contain an expiration date, at the discretion of the prescriber, but not to exceed eighteen months. The contact lens prescription shall contain the necessary requirements of the ophthalmic lens, and the prescription validation requirements as defined by rules adopted pursuant to this section. The prescription may contain adapting and material guidelines and may also contain specific instructions for use by the patient. For the purpose of this section, "ophthalmic lens" means one which has been fabricated to fill the requirements of a particular contact lens prescription.

3. A person who fills a contact lens prescription shall maintain a file of a valid prescription for a period of two years.

4. Notwithstanding section 147.86, a person who violates this section is guilty of a simple misdemeanor for a first violation. Subsequent violations are governed by section 147.86.

**Sec. 2. NEW SECTION. 147.109 OPHTHALMIC SPECTACLE LENS PRESCRIBING AND DISPENSING.**

1. A person shall not dispense or adapt an ophthalmic spectacle lens or lenses without first receiving authorization to do so by a written prescription from a person licensed under chapter 148, 150, 150A, or 154. For the purpose of this section, "ophthalmic spectacle lens" means one which has been fabricated to fill the requirements of a particular spectacle lens prescription.

2. Upon completion of an eye examination, a person licensed under chapter 148, 150, 150A, or 154 shall furnish the patient a copy of their ophthalmic spectacle lens prescription at no cost. The ophthalmic spectacle lens prescription shall contain an expiration date. The ophthalmic spectacle lens prescription shall contain the requirements of the ophthalmic spectacle lens and the prescription validation requirements as defined by rules adopted pursuant to this section. The prescription, at the option of the prescriber, may contain adapting and material guidelines and may also contain specific instructions for use by the patient.

3. Upon request of a patient, a person licensed under chapter 148, 150, 150A, or 154 shall provide the prescription of the patient, if the prescription has not expired, at no cost to another person licensed under chapter 148, 150, 150A, or 154. The person licensed under chapter 148, 150, 150A, or 154 shall accept the prescription and shall not require the patient to undergo an eye examination unless, due to observation or patient history, the licensee has reason to require an examination.

4. A dispenser shall maintain a file of a valid prescription for a period of two years.

5. Notwithstanding section 147.86, a person who violates this section is guilty of a simple misdemeanor for a first violation. Subsequent violations are governed by section 147.86.

Sec. 3. Section 154.9, Code 1993, is repealed.

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