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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-16a-905.1** is enacted to read:

58-16a-905.1. Contact lens manufacturer or distributor -- Prohibited conduct.

A contact lens manufacturer or a contact lens distributor may not:

(1) take any action, by agreement, unilaterally, or otherwise, that has the effect of fixing or otherwise controlling the price that a contact lens retailer charges or advertises for contact lenses; or

(2) discriminate against a contact lens retailer based on whether the contact lens retailer:

(a) sells or advertises contact lenses for a particular price;

(b) operates in a particular channel of trade;

(c) is a person authorized by law to prescribe contact lenses; or

(d) is associated with a person authorized by law to prescribe contact lenses.

Section 2. Section **58-16a-906** is amended to read:

58-16a-906. Penalties for violations.

(1) [~~Knowingly~~] A person who knowingly and intentionally [violating] violates a provision of Section 58-16a-904 ~~§~~→ [f] is [~~or 58-16a-905.1 is~~] ←~~§~~ guilty of a class A misdemeanor.

(2) The attorney general may bring a civil action or seek an injunction and a civil penalty against [~~a~~] any person[~~, entity, or manufacturer~~] who violates a provision of Section 58-16a-904 or 58-16a-905.1.

Legislative Review Note
as of 12-30-14 9:00 AM

Office of Legislative Research and General Counsel