

SD HB#1048 Accept Cash @ Retail Bill Research From Other States

Exact Text of Tennessee Bill [SB 1858](#):

Consumer Protection - As introduced, prohibits a person selling or offering for sale goods or services at retail from requiring a buyer to pay using credit; requires a person selling or offering for sale goods or services at retail to accept legal tender when offered by the buyer as payment; violations treated as prohibited practice under Tennessee Consumer Protection Act of 1977. - Amends TCA Title 47, Chapter 18.

Source-Provided Bill Subjects: Consumer Protection

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(BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 1, is amended by adding the following as a new section:

(a) A person selling or offering for sale goods or services at retail shall not require a buyer to pay using credit, or prohibit cash as payment, in order to purchase the goods or services. A person selling or offering for sale goods or services at retail shall accept legal tender when offered by the buyer as payment.

(b) A violation of this section is a prohibited practice under § 47-18-104 ([TN Consumer Protection Act of 1977](#)).

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.

[Fiscal Note](#) of TN SB 1858:

SUMMARY OF BILL: Prohibits a person selling or offering for sale goods or services at retail from requiring a buyer to pay using credit or prohibit cash as payment. Requires a person selling or offering for sale goods or services at retail to accept legal tender when offered by the buyer as payment. Establishes a violation of such is an unfair and deceptive act or practice under the Consumer Protection Act of 1977.

FISCAL IMPACT:NOT SIGNIFICANT

Assumptions:

- Any increase in the number of complaints handled by the Attorney General is estimated to be not significant and can be handled by existing staff during normal work hours.
- Committing an unfair or deceptive practice under the Consumer Protection Act of 1977 is a Class B misdemeanor offense.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Any impact to commerce or jobs in Tennessee is estimated to be not significant.

Exact Text of [Montana SB 558](#)

AN ACT REQUIRING RETAIL ESTABLISHMENTS, THE STATE, AND POLITICAL SUBDIVISIONS OF THE STATE TO ACCEPT UNITED STATES CURRENCY; REQUIRING THE ACCEPTANCE OF UNITED STATES CURRENCY AS IT APPLIES TO THE PAYMENT OF GOODS AND SERVICES; PROVIDING EXCEPTIONS; AND PROVIDING A FEE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Acceptance of United States currency -- retailers -- government subdivision. (1) (a) Except as provided in subsection (2), a retail establishment offering goods or services for sale must accept United States currency, including federal reserve notes, from a buyer to purchase the goods or services.

(b) The state or any political subdivision of the state shall accept United States currency, including federal reserve notes, from any member of the public.

(2) (a) This section applies to a retail establishment only if the establishment has an individual accepting payment in person for the goods and services being offered.

(b) This section does not apply to a retail transaction in which the retail establishment requires that:

- (i) a security deposit be placed on a credit card; or
 - (ii) a credit card number be provided to cover unforeseen damages or expenses.
- (c) This section does not apply to a retail establishment that uses a device to convert a consumer's cash into a prepaid card allowing the consumer to complete a transaction at the retail establishment if:
- (i) the transaction does not include a fee;
 - (ii) the transaction does not require a minimum deposit greater than \$1;
 - (iii) on request, the consumer is provided with a receipt indicating the amount of cash the consumer deposited in the prepaid card; and
 - (iv) the underlying money on the prepaid card is not subject to an expiration date and there is no limit on the number of transactions that may be completed using the prepaid card.
- (d) This section does not apply to a bank or a credit union as defined in Title 32.
- (e) A retail establishment with more than one point of sale at a single address complies with this section if it accepts United States currency, including federal reserve notes, at no fewer than one point of sale at the address.
- (3) A person who fails to accept United States currency as required in subsection (1) must pay a maximum \$100 fee per violation of this section, determined by the department of justice, to the department of justice for the administration of this section to continue to transact business.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 30, and the provisions of Title 30 apply to [section 1].

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Exact Text of Mississippi [SB 2266](#) "The Cash Act"

MISSISSIPPI LEGISLATURE

2021 Regular Session

To: Business and Financial Institutions; Judiciary, Division A

By: Senator(s) McMahan, Caughman, Seymour, McLendon, Butler

Senate Bill 2266

AN ACT TO CREATE THE "RESPECT THE CASH ACT"; TO PROHIBIT A PERSON SELLING OR OFFERING FOR SALE GOODS OR SERVICES AT RETAIL IN THIS STATE FROM REFUSING TO ACCEPT CASH AS A FORM OF PAYMENT FOR SUCH GOODS OR SERVICES; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The provisions of this act shall be known and may be cited as the "Respect the Cash Act."

(2) A person selling or offering for sale goods or services at retail in this state shall not refuse to accept United States legal tender as a form of payment for such goods or services. All such persons must accept United States legal tender when offered as payment by the buyer. The provisions of this act shall not apply to transactions where:

- (a) The seller reasonably believes the United States legal tender is counterfeit;
- (b) A contract between the buyer and seller exists requiring electronic form of payment;
- (c) Electronic devices offer twenty-four-hour service without an attendant.

(3) All public and private utilities based in the State of Mississippi shall accept United States legal tender as a form of payment.

(4) All state and local government entities shall accept United States legal tender as a form of payment.

(5) Any person who willfully and intentionally violates any provision of this act shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding One Hundred Dollars (\$100.00). For each subsequent violation, a person shall be guilty of a

misdemeanor and, upon conviction, shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00).

(6) As used in this section, "at retail" shall include any retail transaction conducted in person and exclude any telephone, mail, or internet-based transaction.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Synopsis of [Indiana HB 1321](#)

Synopsis: Cash transactions. Requires a merchant that: (1) offers for sale, lease, or rent; or (2) sells, leases, or rents; goods and services to the public for a profit in Indiana to accept cash as payment for such transactions. Provides that a merchant may offer to a customer who is owed change in a cash transaction the option to do either of the following, but may not require the customer to do either of the following: (1) Receive the change in the form of a gift card, gift certificate, or store credit. (2) Donate an amount: (A) equal to part or all of the amount of the change owed; or (B) exceeding the amount of the change owed; to a charity. Provides that the following apply to a merchant that chooses to make one or more of these options available to customers: (1) If a customer does not choose one of these options, the merchant must provide to the customer in cash an amount equal to at least the amount of change owed to the customer, regardless of whether the merchant is able to provide the customer the exact amount of change owed. (2) The merchant must provide certain specified forms of notice informing customers of the options available for receiving change in a cash transaction, including a customer's right to receive in cash at least the amount of change owed. Provides that the provisions do not apply to a sports or entertainment venue if cash is accepted in exchange for a debit card or other cash equivalent point of sale. Provides that the provisions do not apply to a transaction conducted by telephone, through the mail, or over the Internet. Provides that a person that violates any of these requirements: (1) commits a deceptive act that is actionable by the attorney general or by a consumer under the deceptive consumer sales act (act); and (2) is subject to the remedies and penalties under the act.

Effective: July 1, 2022.

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Oregon's [HB 1565](#).

Not copied because it's not the greatest.