

**State and Municipality Cashless Ban Legislation – Enacted and Pending**

State/Municipality	Provisions	Status
<b>Enacted Legislation</b>		
<p><b>Massachusetts</b>  <a href="#">Mass. Gen. Laws, Ch. 255D, §10A</a></p>	<p>All retail establishments must accept cash. No exemptions. “No retail establishment offering goods and services for sale shall discriminate against a cash buyer by requiring the use of credit by a buyer in order to purchase such goods and services. All such retail establishments must accept legal tender when offered as payment by the buyer.”</p>	<p><b>Law enacted in 1978</b>, making it the first state in the union to protect cash as a payment.</p>
<p><b>New Jersey</b>  <a href="#">P.L. 2019 c. 50</a></p>	<p>Limits scope to in-person retail.  <b>Exemptions:</b> Parking garages without attendants, telephone/online transactions, car rental companies, and airport terminals (provided there are at least two businesses in each terminal that accept cash).</p>	<p><b>Law enacted March 2019.</b></p>
<p><b>Rhode Island</b>  <a href="#">H5116A</a></p>	<p>Law states that it shall be a deceptive trade practice, in violation of this chapter, for any retail establishment offering goods or services for sale, to discriminate against a prospective customer, by requiring the use of credit for purchase of goods or services. All retail establishments shall accept legal tender currency when offered as payment. This measure requires retailers to accept cash in payment for goods and services, excluding online purchases.</p>	<p><b>Law enacted June 28, 2019.</b></p>
<p><b>District of Columbia</b>  <a href="#">DC Act 23-567</a></p>	<p>A retailer shall not discriminate against cash as a form of payment for goods or services, including by: (1) Refusing to accept cash as a form of payment; (2) Posting signs on the premises that cash payment is not accepted; or “(3) Charging a higher price to consumers who pay cash.  <b>Exemptions:</b> (1) To retail sales made via mail, phone, or internet; (2) parking facilities that do not already accept cash as a form of payment as of December 1, 2020; (3) food store or retail establishment that provides a device on premises that converts cash, without charging a fee or requiring a minimum deposit amount greater than \$5 into a prepaid card (“cash-to-card device”) that allows a consumer to complete a transaction at the food store or retail establishment; provided, that:  (A) Upon request, the cash-to-card device shall provide each consumer with a receipt indicating the amount of cash deposited onto the prepaid card;  (B) The prepaid card shall not be subject to an expiration date and there shall be no limit on</p>	<p><b>Law enacted January 13, 2021.</b></p>

**State and Municipality Cashless Ban Legislation – Enacted and Pending**

State/Municipality	Provisions	Status
	<p>the number of transactions that may be completed on the card; and            (C) In the event that the cash-to-card device malfunctions, the food store or retail establishment where the cash-to-card device is located shall accept, in accordance with this chapter, payment in cash from consumers during the time period in which the cash-to-card device does not function; or (4) During a period of time for which the Mayor has declared a public health emergency.</p>	
<p><b>New York City</b>  <a href="#">Int. No. 1281-A</a></p>	<p>Limited to retail and food-service establishments, which the law defines as in-person only. Prohibits establishments from charging cash-paying consumers a higher price than cash-less consumers. Food and retail establishments do not have to accept bills in denominations of greater than \$20.  <b>Exemptions:</b> Food and retail establishments that have devices that convert cash into prepaid cards on premises; but such devices cannot charge a fee or require a minimum deposit over one dollar. There can be no limit on the number of transactions on such cards. The funds on the card cannot expire. When a device malfunctions, an establishment must accept cash, and shall have a sign stating such on or immediately adjacent to the cash-conversion device.  <b>Fines:</b> \$1,000 for a first violation and not more than \$1,500 for each succeeding violation.  <b>Enforcement:</b> Department of Consumer Affairs</p>	<p><b>Law enacted February 23, 2020.</b></p>
<p><b>Philadelphia</b>  <a href="#">Philadelphia Code §9-1132</a>; <a href="#">Philadelphia Commission on Human Relations Regulation No. 8</a></p>	<p>Prohibits retailers from refusing cash as a form of payment; posting signs that read “cash not accepted; and charging a higher price to customers who pay cash. Retail is defined as in-person, brick-and-mortar transactions.  <b>Exemptions:</b> Phone and internet transactions, parking lots and parking garages, car rental companies, hotels or companies where collateral or security deposit is required, and membership-based retail stores and wholesale clubs. Regulations additionally exempt vending machines; services through machine vending or kiosk vending, such as massage chairs; rideshare services conducted through mobile applications, city government services, as long as the city maintains at least one convenient location where cash is accepted; and a retailer who does not accept cash</p>	<p><b>Law enacted February 2019; regulations effective October 1, 2019</b></p>

## State and Municipality Cashless Ban Legislation – Enacted and Pending

State/Municipality	Provisions	Status
	payments but provides customers with a cash-to-card machine that converts cash to prepaid card free of charge and no additional fees for purchases.	
<b>San Francisco</b> <a href="#">Ordinance No. 100-19</a>	Law defines “brick-and-mortar business” (any store with a permanent physical presence within city limits), stating it must accept cash. A transaction where goods are delivered to a customer is exempt. Allows the refusal of denominations above \$20, but not combinations of lower bills, and would require accepting paper currency and coins in smaller denominations. For single transactions above \$5,000, a business may require payment in some form other than cash, for the amount above \$5,000. Retailers can refuse to accept cash if they suspect it is counterfeit.	<b>Law enacted May 24, 2019.</b>
<b>Berkeley, CA</b> <a href="#">Municipal Code Ch. 9.50</a>	Law applies to any drugstore, food products store or retail products store operating at a fixed, permanent, physical premises; prohibits a store from charging a fee or placing any other condition on its acceptance of cash. Any aggrieved person who believes the provisions of the law have been violated shall have the right to file an action for injunctive relief and/or damages. In any action to enforce the provisions of the law, the prevailing party is entitled to recover reasonable attorneys’ fees and costs. <b>Fines:</b> First violation, an infraction punishable by a fine not exceeding \$100 and not less than \$50. Second violation within a 12-month period, fine not exceeding \$200 and not less than \$100. Third violation within a 12-month period, fine not exceeding \$1,000 and not less than \$500. <b>Exemptions:</b> Several exceptions including when reservations are created, when a business suspects counterfeit currency, and when a single transaction involves the purchase of goods exceeding \$500. Businesses are also not required to accept cash in denominations larger than a \$20 bill.	<b>Law enacted December 2019.</b>

## State and Municipality Cashless Ban Legislation – Enacted and Pending

State/Municipality	Provisions	Status
<b>West Hollywood, CA</b> <a href="#">Ordinance No. 19-1085</a>	Requires all businesses in West Hollywood to accept cash as a form of payment. No exemptions. Merchants do not have to accept notes over \$100.	<b>Law enacted October 21, 2019.</b>
<b>Pending Legislation</b>		
<b>Alabama</b> <a href="#">HB 28</a>	Relating to retail sales; prohibits retail establishments from requiring customers to make purchase transactions with credit rather than with legal tender; and to require retail establishments to issue store credit or a gift card in the amount of change due to the customer when that customer makes a purchase using legal tender and the establishment is experiencing a cash or coin shortage. <b>Exemptions:</b> Retail establishment may choose to set a policy not to accept legal tender notes larger than \$20. <b>Enforcement:</b> None specified <b>Fines:</b> None specified	<b>Pending—February 2, 2021:</b> Read for the first time and referred to the House Committee on Commerce and Small Business.
<b>Arizona</b> <a href="#">HB 2433</a>	Bill requires that each state agency must accept cash, checks and money orders to pay any amount due to that agency. Under current law, state agencies may accept credit cards.	<b>Pending—February 18, 2021:</b> Referred to Finance Committee.
<b>California</b> <a href="#">SB 926</a>	Bill requires a retail location to accept cash payment when offered as payment by a consumer for any transaction that does not exceed \$5,000 involving the sale or lease of goods or services, or both, unless a specified exception applies. <b>Exemptions:</b> Purchases via online, mail, telephone or catalogue; transactions for the rental of goods or services or for accommodations for which posting of collateral or security is normally required; wholesale clubs that sell goods and services through a membership model; and retail that by law cannot accept cash. Retailers not required to accept bills greater than \$20. <b>Enforcement:</b> Department of Justice and the Attorney General. <b>Fines:</b> First violation is \$25 and second violation no more than \$500. The civil penalty	<b>Pending—November 30, 2020:</b> From Senate Appropriations Committee without further action.

## State and Municipality Cashless Ban Legislation – Enacted and Pending

State/Municipality	Provisions	Status
	shall be deposited in the Public Rights Law Enforcement Special Fund for the Attorney General’s use in enforcing this part.	
<b>Colorado</b> <a href="#">HB 21-1048</a>	<p>The bill requires retail establishments that offer goods or services to accept United States currency (cash) to purchase the goods or services, but applies only to establishments that have an individual accepting payment in person.</p> <p><b>Fines:</b> A violation is a class 2 petty offense punishable by a fine of up to \$250.</p> <p><b>Exemptions:</b> Retailers that require security deposit; retailers with more than one point of sale location that accepts cash at least one point of sale; retailers that use a device to convert a consumer’s cash into a prepaid card allowing the consumer to complete a transaction if the transaction does not include a fee, does not require a minimum deposit amount greater than \$1; if the consumer is provided with a receipt indicating the amount of cash deposited onto the prepaid card; and the underlying money on the card is not subject to an expiration date and there is no limit on the number of transactions that may be completed using the card.</p>	<b>Pending—April 20, 2021:</b> House considered Senate amendments; result was to Concur-Repass.
<b>Connecticut</b> <a href="#">HB05312</a>	<p>Bill prohibits retailers from (1) refusing cash as a form of payment, (2) posting signs stating that cash is not accepted, or (3) charging a higher price to customers who pay with cash.</p> <p><b>Exemptions:</b> Online/phone purchases, parking lots and parking garages, wholesale/membership-based retail stores; goods sold exclusively through a membership model that requires payment by means of an affiliated mobile device application; and transactions for the rental of consumer goods, services or accommodations for which posting of collateral or security is typically required,</p>	<b>Pending—February 2, 2021:</b> Reported favorably (19-0) from Joint Committee on General Law; <b>February 25, 2021:</b> House Calendar No. 41.
<b>Delaware</b> <a href="#">HB 97</a>	<p>Prohibits the seller of consumer goods or services from refusing to accept cash payment, except in limited circumstances. Prohibits a seller from charging a higher price to consumers who pay with cash. Prohibits a seller from requiring customers paying with cash to use automated machines that convert cash to prepaid cards. Prohibits a seller from having fewer checkout locations for consumers paying with cash. “Retail store” means an establishment where consumer goods or services are offered for sale or lease.</p>	<b>Pending—March 4, 2021:</b> Referred to House Committee on Economic Development, Banking/Insurance & Commerce.

**State and Municipality Cashless Ban Legislation – Enacted and Pending**

State/Municipality	Provisions	Status
	<p><b>Exemptions:</b> Telephone, mail or internet transactions; parking lots and parking garages; transactions at wholesale clubs that sell consumer goods and services through a membership model; transactions at retail stores selling consumer goods exclusively through a membership model that requires payment by means of an affiliated mobile device application; transactions for the rental of consumer goods, services, or accommodations for which the posting of collateral or security is typically required; and consumer goods or services provided exclusively to employees and others authorized to be on the employer’s premises.</p> <p><b>Fines:</b> First violations up to \$1,000; second violations up to \$1,500; third and subsequent violations up to \$2,500. In addition, consumers are entitled to bring a private right of action to recover double damages, including consequential damages, for a second violation of the law and triple damages for subsequent violations.</p> <p><b>Enforcement:</b> Division of Consumer Protection</p>	
<p><b>Hawaii</b> <a href="#">SCR 233</a></p>	<p><b>This is not a cashless prohibition bill but rather a bill requesting a study be conducted of electronic and cash transactions among Hawaii consumers.</b></p> <p>This measure requests that the Department of Business, Economic Development, and Tourism conduct a study on the use of electronic and cash transactions in the State to determine how they benefit consumers and businesses. The department must address the following areas:</p> <ol style="list-style-type: none"> <li>1. Determine whether electronic or cash transactions are more prevalent in Hawaii;</li> <li>2. Determine who benefits from and who is disadvantaged by electronic transactions and cash transactions;</li> <li>3. Identify how the information gathered can be used to benefit consumers and businesses;</li> <li>4. Identify how certain transactions can be balanced or incentivized so that both consumers and businesses benefit from cash or electronic transactions;</li> <li>5. And suggest recommendations for future legislation.</li> </ol>	<p><b>Pending—March 31, 2021:</b> Committee amendment adopted; read third time; passed Senate.</p>

## State and Municipality Cashless Ban Legislation – Enacted and Pending

State/Municipality	Provisions	Status
<b>Idaho</b> <a href="#">HB 256</a>	Requires sellers to accept cash as a method of payment along with any other accepted method of payment.	<b>Pending—March 1, 2021:</b> Referred to House Revenue and Taxation Committee.
<b>New York</b> <a href="#">SB 4134</a>	Prohibits food-service establishments and retail establishments from refusing to accept payment in cash. <b>Exemptions:</b> None specified. <b>Fines:</b> Not more than \$2,500 for the first violation and not more than \$,5000 for each succeeding violation. The Department of Labor may promulgate rules as it deems necessary to implement and enforce the law.	<b>Pending—February 2, 2021:</b> Referred to Senate Committee on Consumer Protection.
<b>Oklahoma</b> <a href="#">HB 2175</a>	Prohibits a retail establishment from requiring a consumer to pay using credit or prohibiting cash as payment. “At retail” means any retail transaction conducted in person and excludes any telephone, mail or internet-based transaction. <b>Exemptions:</b> Any person selling or offering for sale goods or services at an airport, provided that at least two persons selling food at each terminal within the airport accept cash as payment; any parking facility owned by a municipality, regardless of whether the facility is operated by the municipality, a parking authority, or an independent third party; and any parking facility that accepts mobile payment, provided that the facility does not accept payment by any means other than mobile payment. <b>Enforcement:</b> Office of the Attorney General. <b>Fines:</b> First violation will be subject to a warning. Second violation subject to a fine not to exceed \$1,000. Third violation subject to a fine not to exceed \$2,500. Fourth violation subject to a fine not to exceed \$5,000.	<b>Pending—February 4, 2021:</b> Withdrawn from Banking, Financial Services and Pensions Committee and referred to Rules Committee.
<b>Oregon</b> <a href="#">SB 746</a>	Makes unlawful practice for place of public accommodation to refuse to accept U.S. coins or currency as payment for goods and services or make any distinction, discrimination or restriction because a customer offers U.S. coins and currency. Retailers do not have to accept U.S. coins, in any combination, in an amount equal to or greater than \$100; or U.S. currency in denominations of \$50 or \$100. <b>Exemptions:</b> Farmers markets/roadside stands; transactions occurring on aircraft; lodging; transportation; phone, Internet or mail transactions; U.S. government owned or operated establishments; Class 1 flammable liquids sold at a filling station, service station	<b>Pending—February 10, 2021:</b> Referred to Senate Labor and Business Committee; <b>March 26, 2021:</b> Public hearing and possible work session scheduled April 8, 2021.

**State and Municipality Cashless Ban Legislation – Enacted and Pending**

State/Municipality	Provisions	Status
	<p>or garage; vending machines; micro-markets; insurance; certain hospital or medical services; electric vehicle charging stations; regional office of the Department of Revenue; and a bank branch or office of a bank holding company, financial holding company or financial institution.</p> <p><b>Fines:</b> None specified.</p> <p><b>Enforcement:</b> Allows person to file complaint with Commissioner of Bureau of Labor and Industries alleging unlawful practice against operator or person acting on behalf of place of public accommodation.</p>	
<p><b>Pennsylvania</b> <a href="#">HB 301</a></p>	<p>Prohibits businesses from refusing to accept cash payment for purchases under \$500 when the purchaser is physically present at the point of sale.</p> <p><b>Exemptions:</b> Does not apply to retailers that conspicuously post for customers that they do not accept currency above a certain denomination.</p> <p><b>Enforcement:</b> None specified.</p> <p><b>Fines:</b> None specified.</p>	<p><b>Pending—January 27, 2021:</b> Referred to the House Consumer Affairs Committee.</p>

Source: Information provided by Rep. Dillingham and verified by OPLA.