STATE OF NEW YORK

5190

2021-2022 Regular Sessions

IN SENATE

February 26, 2021

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting retail establishments from refusing to accept payment in cash

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 396-ii to read as follows:

§ 396-ii. Cashless policies prohibited. a. As used in this section, the following terms shall have the following meanings:

(i) "Food-service establishment" shall mean an establishment which gives or offers for sale food or beverages to the public for consumption or use on or off the premises.

(ii) "Retail establishment" shall mean an establishment in which consumer commodities are sold, displayed or offered for sale, or which provides services to consumers at retail.

b. It shall be unlawful for a food-service establishment or a retail establishment, as policy, to refuse to accept payment in cash from consumers.

c. A food-service establishment or retail establishment violating this section is liable for a civil penalty of not more than two hundred fifty dollars for the first violation and a civil penalty of not more than five hundred dollars for each succeeding violation.

d. The department of labor may promulgate such rules as it deems necessary to implement and enforce this section.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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