

STATE OF NEW YORK

7146

2023-2024 Regular Sessions

IN ASSEMBLY

May 11, 2023

Introduced by M. of A. RAJKUMAR, DINOWITZ, COLTON, SIMON, COOK, McDO-
NOUGH, HUNTER, SEAWRIGHT, GLICK, LAVINE, OTIS, REYES, SAYEGH, BURGOS
-- read once and referred to the Committee on Consumer Affairs and
Protection

AN ACT to amend the general business law, in relation to requiring
merchants to accept cash as payment for goods

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

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

§ 396-ff. Cash payment non-discrimination. 1. Any retail mercantile
establishment as defined in article twelve-B of this chapter, in which
food is prepared, sold, or served subject to title eight of article
thirteen of the public health law, or other establishment offering goods
or services for sale shall accept United States currency (cash) as legal
tender when offered as payment. Such establishment shall not discrimi-
nate against a cash buyer by requiring the use of a credit or debit card
or electronic payment device or process in order to purchase food,
goods, or services. This section shall not apply to telephone, mail
order, electronic, online, or other transactions in which the buyer is
not present in the establishment's physical place of business.

2. The superintendent of the department of financial services may make
regulations to implement this section, including authorization of
exemptions or exclusions from this section. Exemptions or exclusions
under this section may be provided based on criteria including, but not
limited to, the nature of the establishment; the nature of the food,
goods, or services; the denomination of currency used; or the amount of
the transaction.

3. A violation of this section shall be punishable by a fine not to
exceed five hundred dollars.

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

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1 § 2. This act shall take effect on the one hundred eightieth day after
2 it shall have become a law. Effective immediately, the superintendent of
3 the department of financial services may make regulations and take other
4 actions reasonably necessary to implement this act on that date.