

# STATE OF NEW YORK

326

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. GOUNARDES -- 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:

1 Section 1. The general business law is amended by adding a new section  
2 396-ii to read as follows:

3 § 396-ii. Cashless policies prohibited. a. As used in this section,  
4 the following terms shall have the following meanings:

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

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

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

14 c. A food-service establishment or retail establishment violating this  
15 section is liable for a civil penalty of not more than twenty-five  
16 hundred dollars for the first violation and a civil penalty of not more  
17 than five thousand dollars for each succeeding violation.

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

20 § 2. This act shall take effect immediately.

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

LBD01516-01-3