STATE OF NEW YORK

9274--A

Cal. No. 368

2025-2026 Regular Sessions

IN ASSEMBLY

November 21, 2025

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Ways and Means -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the general business law, in relation to requiring merchants to round cash purchases to the nearest five cent denomination in order to reduce the circulation of pennies within New York state

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

Section 1. Short title. This act shall be known and may be cited as the "New Yorkers for Common Cents Act".

§ 2. The general business law is amended by adding a new section 399-ooo to read as follows:

§ 399-ooo. Exact change exemption. Failure to provide exact change in the event exact change would include a penny or pennies, and charging less for credit than for cash based on the inability to provide exact change that would include a penny or pennies, shall not be a violation of any state law or regulation, including but not limited to consumer protection laws.

§ 3. The general business law is amended by adding a new section 399-oooo to read as follows:

§ 399-oooo. Calculation of prices. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Merchant" shall mean any person, corporation, or partnership engaged in the business of the sale of goods or services engaging in face-to-face, in-person sales.

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

LBD11817-05-6

(b) "Legal tender" shall mean all coins and currencies of the United States.

2. Notwithstanding any other provision of law to the contrary, any merchant doing business in this state shall determine the total price of such goods or services in the following manner:

(a) prices of goods and services shall be totaled, any discount or deduction therefor made, and sales tax or other tax imposed, if any, added to that total in accordance with the law of the municipality in which such goods or services are sold; and

(b)(i) if a mill, one cent, two cents, six cents, or seven cents is at the end of the resulting sum, that sum shall be rounded down to the nearest amount divisible by five for those individuals seeking to pay therefor with legal tender; or

(ii) if three cents, four cents, eight cents, or nine cents is at the end of the resulting sum, that sum shall be rounded up to the nearest amount divisible by five for those individuals seeking to pay therefor with legal tender.

3. The provisions of subdivision two of this section shall not apply to the following:

(a) transactions for which the total amount is four cents or less; or

(b) transactions for which payment is made by any demand or negotiable instrument, electronic fund transfer, money order, credit card, debit card, electronic payment, or other like instrument.

4. Any tax imposed by state or municipal taxing authorities shall not apply to gains or losses resulting from rounding.

5. The superintendent of the department of financial services may promulgate regulations to implement this section, including, but not limited to, authorization of exemptions or exclusions from this section.

§ 4. This act shall take effect immediately, provided, however, that section three of this act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.