

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:

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

3 § 2. The general business law is amended by adding a new section 399-
4 000 to read as follows:

5 § 399-000. Exact change exemption. Failure to provide exact change in
6 the event exact change would include a penny or pennies, and charging
7 less for credit than for cash based on the inability to provide exact
8 change that would include a penny or pennies, shall not be a violation
9 of any state law or regulation, including but not limited to consumer
10 protection laws.

11 § 3. The general business law is amended by adding a new section 399-
12 0000 to read as follows:

13 § 399-0000. Calculation of prices. 1. For the purposes of this
14 section, the following terms shall have the following meanings:

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

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

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

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

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

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

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

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

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

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

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

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

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