

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3753

By: Hardin

COMMITTEE SUBSTITUTE

An Act relating to legal tender; defining terms;
requiring acceptance of cash as legal tender;
providing penalties and enforcement; providing
exception; providing for codification; providing an
effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 2200 of Title 25, unless there
is created a duplication in numbering, reads as follows:

A. As used in this act:

1. "At retail" shall include any retail transaction conducted
in person and shall exclude:

- a. any telephone, mail, or Internet-based transactions,
- b. parking lots and parking garages,
- c. transactions at wholesale clubs that sell consumer
goods and services through a membership model,

- d. transactions at retail stores selling consumer goods exclusively through a membership model that requires payment by means of an affiliated mobile device application,
- e. transactions for the rental of consumer goods, services, or accommodations for which posting of collateral or security is typically required,
- f. consumer goods or services provided exclusively to employees and others authorized to be on the employer's premises, and
- g. member transactions at fitness centers, including payment of membership fees.

B. A person or entity selling or offering for sale consumer goods or services at retail is prohibited from refusing to accept cash as a form of payment to purchase goods or services.

C. Any person or entity in violation of this act shall be subject to a warning for a first violation. A second violation shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00). A third or subsequent violation shall be punishable by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00). The penalties in this subsection shall be enforced by the Office of the Attorney General. Fines collected by the Office of the Attorney General shall be deposited in the General Revenue Fund of the State Treasury.

1 D. This act shall not apply to a retail establishment that
2 provides a device on premises that converts cash, without charging a
3 fee or requiring a minimum deposit amount greater than Five Dollars
4 (\$5.00), into a prepaid card that allows a consumer to complete a
5 transaction at such retail establishment. Upon request, such device
6 shall provide each consumer with a receipt indicating the amount of
7 cash such consumer deposited onto the prepaid card. Cash deposits
8 onto such a prepaid card shall not be subject to an expiration date
9 and there shall be no limit on the number of transactions that may
10 be completed on such prepaid card. In the event such retail
11 establishment does not have a device to convert cash to a prepaid
12 card and cash is presented for payment, then the retail
13 establishment shall accept cash as payment for services or goods.

14 SECTION 2. This act shall become effective July 1, 2024.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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