

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1633 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Clay Staires

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

FLOOR SUBSTITUTE
FOR

HOUSE BILL NO. 1633

By: Staires

FLOOR SUBSTITUTE

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

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 3001 of Title 25, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as "The Cash Protection
Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3002 of Title 25, unless there
is created a duplication in numbering, reads as follows:

As used in this act:

1. "Agency" shall mean any governmental entity;

1 2. "Cash" shall mean United States currency in the form of
2 coins or notes.

3 3. "Central bank digital currency" shall mean a digital version
4 of governmental currency backed by a central bank and tied to a
5 country's national currency;

6 4. "Regular business hours" shall mean the regular hours a
7 business is open to the public to conduct business transactions; and

8 5. "Businesses providing basic needs" shall mean a business
9 open to and engaged with the general public for the sale of basic
10 life essential goods or services, which includes:

11 a. grocery stores that sell food or water,

12 b. utility companies including electric companies, water
13 companies, natural gas companies, propane companies,
14 sewage companies, and Internet companies,

15 c. pharmacies and other businesses that provide medicines
16 or supplements, and

17 d. insurance companies which sell auto, life, health, and
18 property and casualty insurance.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 3003 of Title 25, unless there
21 is created a duplication in numbering, reads as follows:

22 A. Businesses providing basic needs, selling or offering for
23 sale goods or services during regular business hours, shall not
24 require a buyer to pay using credit cards nor a central bank digital

1 currency nor prohibit the use of cash or money orders as payment in
2 order to purchase the goods or services. Businesses providing basic
3 needs selling or offering for sale goods or services during regular
4 business hours shall accept cash as legal tender when offered by the
5 buyer as payment and shall not charge a penalty for use of cash.

6 B. An agency shall not require any citizen of this state in
7 conducting transactions with the agency to pay using credit cards
8 nor a central bank digital currency and shall not prohibit cash as
9 payment in order to conduct transactions with the agency. An agency
10 shall accept cash as legal tender when offered and shall not charge
11 a penalty for use of cash.

12 SECTION 4. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 3004 of Title 25, unless there
14 is created a duplication in numbering, reads as follows:

15 Any person, entity, or agency in violation of this act shall be
16 subject to a warning for a first violation. A second violation
17 shall be punished by a fine not to exceed One Thousand Dollars
18 (\$1,000.00). A third violation shall be punished by a fine not to
19 exceed Two Thousand Five Hundred Dollars (\$2,500.00). A fourth or
20 subsequent violation shall be punished by a fine not to exceed Five
21 Thousand Dollars (\$5,000.00). The penalties in this subsection
22 shall be enforced by the Office of the Attorney General. Fines
23 collected by the Office of the Attorney General shall be deposited
24 in the General Revenue Fund of the State Treasury.

1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3005 of Title 25, unless there
3 is created a duplication in numbering, reads as follows:

4 The provisions of this act shall not apply to online or over-
5 the-phone transactions, parking lots, wholesale or membership-based
6 retail stores, and goods sold exclusively through a membership model
7 that requires payment by means of an affiliated mobile device
8 application.

9 SECTION 6. This act shall become effective November 1, 2023.

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11 59-1-8010 MJ 03/14/23

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