

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1633

By: Staires

7 COMMITTEE SUBSTITUTE

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

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 3001 of Title 25, unless there
16 is created a duplication in numbering, reads as follows:

17 As used in this act:

18 1. "Agency" shall mean any governmental entity;

19 2. "At retail" shall include any retail transaction conducted
20 in person and shall exclude any telephone, mail, or Internet-based
21 transaction;

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

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

3 5. "Retail establishment" shall mean a place of business open
4 to the general public for the sale of goods or services.

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

8 A. A retail establishment selling or offering for sale goods or
9 services at retail during regular business hours shall not require a
10 buyer to pay using credit cards nor a central bank digital currency
11 nor prohibit cash as payment in order to purchase the goods or
12 services. A retail establishment selling or offering for sale goods
13 or services at retail during regular business hours shall accept
14 cash as legal tender when offered by the buyer as payment and shall
15 not charge a penalty for use of cash.

16 B. An agency shall not require any citizen of the state in
17 conducting transactions with the agency to pay using credit cards
18 nor a central bank digital currency and shall not prohibit cash as
19 payment in order to conduct transactions with the agency. An agency
20 shall accept cash as legal tender when offered and shall not charge
21 a penalty for use of cash.

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

1 Any person, entity, or agency in violation of this act shall be
2 subject to a warning for a first violation. A second violation
3 shall be punished by a fine not to exceed One Thousand Dollars
4 (\$1,000.00). A third violation shall be punished by a fine not to
5 exceed Two Thousand Five Hundred Dollars (\$2,500.00). A fourth or
6 subsequent violation shall be punished by a fine not to exceed Five
7 Thousand Dollars (\$5,000.00). The penalties in this subsection
8 shall be enforced by the Office of the Attorney General. Fines
9 collected by the Office of the Attorney General shall be deposited
10 in the General Revenue Fund of the State Treasury.

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

14 The provisions of this act shall not apply to online or over-
15 the-phone purchases, parking lots, wholesale or membership-based
16 retail stores, and goods sold exclusively through a membership model
17 that requires payment by means of an affiliated mobile device
18 application.

19 SECTION 5. This act shall become effective November 1, 2023.
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21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated
22 02/22/2023 - DO PASS, As Amended.
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