

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 21-0208.01 Jery Payne x2157

HOUSE BILL 21-1048

HOUSE SPONSORSHIP

Valdez A.,

SENATE SPONSORSHIP

Rodriguez,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT RETAIL ESTABLISHMENTS ACCEPT**
102 **UNITED STATES CURRENCY FOR PURCHASES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires retail establishments that offer goods or services to accept United States currency (cash) to purchase the goods or services, but applies only to establishments that have an individual accepting payment in person. A violation is a class 2 petty offense punishable by a fine of up to \$500.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 11-61-102 as
3 follows:

4 **11-61-102. Retailers' acceptance of United States currency.**

5 (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A RETAIL
6 ESTABLISHMENT OFFERING GOODS OR SERVICES FOR SALE SHALL ACCEPT
7 UNITED STATES CURRENCY, INCLUDING FEDERAL RESERVE NOTES, FROM
8 A BUYER TO PURCHASE THE GOODS OR SERVICES.

9 (2) (a) THIS SECTION APPLIES TO A RETAIL ESTABLISHMENT ONLY
10 IF THE ESTABLISHMENT HAS AN INDIVIDUAL ACCEPTING PAYMENT IN
11 PERSON FOR THE GOODS AND SERVICES BEING OFFERED.

12 (b) THIS SECTION DOES NOT APPLY TO A RETAIL TRANSACTION IN
13 WHICH THE RETAIL ESTABLISHMENT REQUIRES THAT:

14 (I) A SECURITY DEPOSIT BE PLACED ON A CREDIT CARD; OR

15 (II) A CREDIT CARD NUMBER BE PROVIDED TO COVER UNFORESEEN
16 DAMAGES OR EXPENSES.

17 (c) A RETAIL ESTABLISHMENT WITH MORE THAN ONE POINT OF
18 SALE AT A SINGLE ADDRESS COMPLIES WITH THIS SECTION IF IT ACCEPTS
19 UNITED STATES CURRENCY, INCLUDING FEDERAL RESERVE NOTES, AT NO
20 FEWER THAN ONE POINT OF SALE AT THE ADDRESS.

21 (3) FAILING TO ACCEPT UNITED STATES CURRENCY FROM A BUYER
22 AS REQUIRED BY SUBSECTION (1) OF THIS SECTION IS A CLASS 2 PETTY
23 OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF NOT
24 MORE THAN FIVE HUNDRED DOLLARS PER TRANSACTION OR ATTEMPTED
25 TRANSACTION.

26 **SECTION 2. Act subject to petition - effective date -**

1 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
2 the expiration of the ninety-day period after final adjournment of the
3 general assembly; except that, if a referendum petition is filed pursuant
4 to section 1 (3) of article V of the state constitution against this act or an
5 item, section, or part of this act within such period, then the act, item,
6 section, or part will not take effect unless approved by the people at the
7 general election to be held in November 2022 and, in such case, will take
8 effect on the date of the official declaration of the vote thereon by the
9 governor.

10 (2) This act applies to offenses committed on or after the
11 applicable effective date of this act.