

**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

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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.*

HOUSE
3rd Reading Unamended
March 25, 2021

HOUSE
Amended 2nd Reading
March 24, 2021

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) THIS SECTION DOES NOT APPLY TO A RETAIL TRANSACTION
18 THAT CONVERTS CASH INTO A PREPAID CARD THAT ALLOWS A CONSUMER
19 TO COMPLETE A TRANSACTION AT THE RETAIL ESTABLISHMENT IF:

20 (I) THE TRANSACTION DOES NOT INCLUDE A FEE;

21 (II) THE TRANSACTION DOES NOT REQUIRE A MINIMUM DEPOSIT
22 AMOUNT GREATER THAN ONE DOLLAR;

23 (III) UPON REQUEST, THE CONSUMER IS PROVIDED WITH A RECEIPT
24 INDICATING THE AMOUNT OF CASH THE CONSUMER DEPOSITED ONTO THE
25 PREPAID CARD; AND

26 (IV) THE CASH DEPOSIT ONTO THE PREPAID CARD IS NOT SUBJECT

1 TO AN EXPIRATION DATE AND THERE IS NO LIMIT ON THE NUMBER OF
2 TRANSACTIONS THAT MAY BE COMPLETED USING PREPAID CARD.

3 (d) THIS SECTION DOES NOT APPLY TO A BANK, AS DEFINED IN
4 SECTION 11-101-401 (5), OR A CREDIT UNION, AS DEFINED IN SECTION
5 11-30-101 (1)(a).

6 (e) A RETAIL ESTABLISHMENT WITH MORE THAN ONE POINT OF
7 SALE AT A SINGLE ADDRESS COMPLIES WITH THIS SECTION IF IT ACCEPTS
8 UNITED STATES CURRENCY, INCLUDING FEDERAL RESERVE NOTES, AT NO
9 FEWER THAN ONE POINT OF SALE AT THE ADDRESS.

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

15 **SECTION 2. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
17 the expiration of the ninety-day period after final adjournment of the
18 general assembly; except that, if a referendum petition is filed pursuant
19 to section 1 (3) of article V of the state constitution against this act or an
20 item, section, or part of this act within such period, then the act, item,
21 section, or part will not take effect unless approved by the people at the
22 general election to be held in November 2022 and, in such case, will take
23 effect on the date of the official declaration of the vote thereon by the
24 governor.

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