



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 21-0208 Date: February 16, 2021
Prime Sponsors: Rep. Valdez A. Bill Status: House Business
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Bill Topic: RETAIL BUSINESS MUST ACCEPT CASH

- Summary of Fiscal Impact: [X] State Revenue [X] State Expenditure [ ] State Transfer [ ] TABOR Refund [X] Local Government [ ] Statutory Public Entity

This bill requires retail businesses to accept cash for goods and services if an individual accepting payment is present. The bill increases state and local revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

This bill requires retail businesses to accept cash for goods and services if an individual accepting payment is present. Failing to accept cash is a class 2 petty offense with a fine of up to \$500 per transaction or attempted transaction.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or changes an element of an existing crime. This section outlines data on crimes comparable to the offense in this bill and discusses assumptions on future rates of criminal conviction for those offense.

Prior conviction data and assumptions. This bill creates the new offense of failing to accept U.S. currency, a class 2 petty offense. To form an estimate on the prevalence of this new crime, the fiscal note analyzed the existing offense of refusing access to an employee restroom as a comparable crime. From FY 2017-2018 to FY 2019 -20, zero offenders have been convicted and sentenced for this existing offense; therefore, the fiscal note assumes that there will be minimal or no additional case filings or convictions for the new offense under the bill.

Visit [leg.colorado.gov/fiscalnotes](http://leg.colorado.gov/fiscalnotes) for more information about criminal justice costs in fiscal notes.

## State Revenue and Expenditures

Based on the assumptions above, this bill is expected to have a minimal impact on state revenue and workload. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload for the Judicial Department, including the trial courts, are assumed to be minimal and no change in appropriations is required.

## Local Government

Similar to the state, it is expected that any workload or cost increase for district attorneys to prosecute the new class 2 petty offense under the bill will be minimal. District attorney offices are funded by counties, with each county in a judicial district contributing based on its population. The bill also minimally increases revenue, costs and workload for the Denver County Court, which is managed and funded by the City and County of Denver, to try misdemeanor cases under the bill.

## Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

## State and Local Government Contacts

District Attorneys  
Law

Information Technology  
Regulatory Agencies

Judicial  
State