

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

**REVISED**

*This Version Includes All Amendments Adopted  
on Second Reading in the Second House*

LLS NO. 22-1047.01 Jery Payne x2157

**SENATE BILL 22-228**

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**SENATE SPONSORSHIP**

**Rodriguez,**

**HOUSE SPONSORSHIP**

**Valdez A.,**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

Business Affairs & Labor

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**A BILL FOR AN ACT**

101 **CONCERNING THE REQUIREMENT THAT RETAIL ESTABLISHMENTS**  
102 **ACCEPT UNITED STATES CURRENCY.**

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**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>.)*

Current law requires retail establishments to accept United States currency. One of the exceptions to the requirement is for security deposits. A violation of the requirement by a retail establishment is a civil infraction punishable by a fine of \$250.

The bill exempts retail establishments in which the primary method of selling goods or services is through an automatic renewal

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  
2nd Reading Unamended  
May 5, 2022

SENATE  
3rd Reading Unamended  
April 29, 2022

SENATE  
Amended 2nd Reading  
April 28, 2022

contract and defines "retail establishment" and "security deposit". A violation by a retail establishment is made a deceptive trade practice, which means that the attorney general and each district attorney has enforcement authority under the "Colorado Consumer Protection Act".

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

2 **SECTION 1.** In Colorado Revised Statutes, 11-61-102, **amend**  
3 (2)(e); and **add** (2)(f) and (4) as follows:

4 **11-61-102. Retailers' acceptance of United States currency -**  
5 **deceptive trade practice - definitions.** (2) (e) ~~A retail establishment~~  
6 ~~with more than one point of sale at a single address complies with this~~  
7 ~~section if it accepts United States currency, including federal reserve~~  
8 ~~notes, at no fewer than one point of sale at the address~~ THIS SECTION DOES  
9 NOT APPLY TO A RETAIL ESTABLISHMENT IN WHICH THE RETAIL  
10 ESTABLISHMENT'S PRIMARY METHOD OF SELLING GOODS OR SERVICES IS  
11 THROUGH AN AUTOMATIC RENEWAL CONTRACT.

12 (f) A RETAIL ESTABLISHMENT WITH MORE THAN ONE POINT OF  
13 SALE AT A SINGLE ADDRESS COMPLIES WITH THIS SECTION IF IT ACCEPTS  
14 UNITED STATES CURRENCY, INCLUDING FEDERAL RESERVE NOTES, AT NO  
15 FEWER THAN ONE POINT OF SALE AT THE ADDRESS.

16 ==  
17 (4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
18 REQUIRES:

19 (a) "AUTOMATIC RENEWAL CONTRACT" HAS THE MEANING SET  
20 FORTH IN SECTION 6-1-732 (1)(a).

21 (b) "RETAIL ESTABLISHMENT" MEANS A BUSINESS THAT:

22 (I) OFFERS OR SELLS GOODS OR SERVICES TO A CONSUMER OF THE  
23 GOODS OR SERVICES; AND

1 (II) OFFERS OR SELLS THE GOODS OR SERVICES AT A LOCATION  
2 WITH A BUILDING THAT HAS AN ADDRESS WITHIN COLORADO.

3 (c) "SECURITY DEPOSIT" MEANS A SUM OF MONEY THAT ONE PARTY  
4 TO A CONTRACT DEPOSITS WITH ANOTHER PARTY TO A CONTRACT FOR THE  
5 PURPOSE OF SECURING THE DEPOSITOR'S PERFORMANCE OF OBLIGATIONS  
6 CREATED BY THE CONTRACT.

7 **SECTION 2. In Colorado Revised Statutes, 24-31-101, amend**  
8 **(1)(i) as follows:**

9 **24-31-101. Powers and duties of attorney general. (1) The**  
10 **attorney general:**

11 **(i) May bring civil and criminal actions to enforce state laws,**  
12 **including actions brought pursuant to the "Colorado Antitrust Act of**  
13 **1992" in article 4 of title 6, the "Colorado Consumer Protection Act" in**  
14 **article 1 of title 6, the "Unfair Practices Act" in article 2 of title 6, article**  
15 **12 of title 6, and sections 6-1-110, 11-51-603.5, 11-61-102, 24-34-505.5,**  
16 **and 25.5-4-306;**

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

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