

CHAPTER 407

CONSUMER AND COMMERCIAL TRANSACTIONS

SENATE BILL 22-228

BY SENATOR(S) Rodriguez;
 also REPRESENTATIVE(S) Valdez A., Caraveo, Hooton, Lindsay, Ortiz, Woodrow.

AN ACT

CONCERNING THE REQUIREMENT THAT RETAIL ESTABLISHMENTS ACCEPT UNITED STATES CURRENCY.

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

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

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

(2) (e) ~~A retail establishment with more than one point of sale at a single address complies with this section if it accepts United States currency, including federal reserve notes, at no fewer than one point of sale at the address~~ THIS SECTION DOES NOT APPLY TO A RETAIL ESTABLISHMENT IN WHICH THE RETAIL ESTABLISHMENT'S PRIMARY METHOD OF SELLING GOODS OR SERVICES IS THROUGH AN AUTOMATIC RENEWAL CONTRACT.

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

(4) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

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

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

(I) OFFERS OR SELLS GOODS OR SERVICES TO A CONSUMER OF THE GOODS OR

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SERVICES; AND

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

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

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

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

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

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

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

Approved: June 7, 2022