

2024 Regular Session

HOUSE BILL NO. 610

BY REPRESENTATIVE BAYHAM

COMMERCE: Requires businesses to offer a payment in cash for transactions

1 AN ACT

2 To enact Part I-A of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:11, relative to retail business transactions; to provide for a cash
4 payment option; to provide for definitions; to prohibit certain non-cash transactions;
5 to provide for exceptions; to provide for civil penalties; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part I-A of Chapter 1 of Title 51 of the Louisiana Revised Statutes of
9 1950, comprised of R.S. 51:11, is hereby enacted to read as follows:

10 PART 1-A. CONSUMER PAYMENT CHOICE

11 §11. Acceptance of cash payments by businesses

12 A. As used in this Part:

13 (1) "Business" means any business operating at a fixed, permanent physical
14 premises including but not limited to a vehicle, other mobile space, or a temporary
15 physical premises.

16 (2) "Cash" means legal tender of the United States in the form of coins or
17 currency.

18 (3) "Customer" means any person who uses, purchases, or leases goods or
19 services.

1 B.(1) A business shall accept an offer of payment in cash for any transaction
2 involving the purchase of any tangible good or any service if, in connection with
3 such transaction, the business would accept one or more other forms of payment and
4 the customer seeking to engage in such transaction is physically present at the place
5 of business.

6 (2) A business may satisfy the requirement in Paragraph (1) of this
7 Subsection by having available on site a cash-to-card kiosk into which a customer
8 deposits cash and is given a debit card loaded with the amount he deposited. The
9 customer may use the debit card to complete a transaction at the place of business.

10 (3) A business may not charge a fee or place any other condition on its
11 acceptance of cash as required pursuant to Paragraph (1) of this Subsection.

12 C. This Section shall not apply to any of the following:

13 (1) Sales that are not conducted in person, including telephone, mail, and
14 internet-based or other electronic transactions.

15 (2) A parking facility owned by a municipality, regardless of who operates
16 the facility.

17 (3) A parking facility and commercial ground transportation operations
18 owned or operated by an airport or other port.

19 (4) A parking facility that accepts electronic funds transfers.

20 (5) A business providing services by accountants, architects, attorneys,
21 engineers, financial advisers, insurance agents, interior designers, software
22 developers, or management and other consultants, not including services provided
23 by licensed medical or allied health care practitioners.

24 (6) Sales in which the business suspects the use of counterfeit cash.

25 (7) The use of cash denominations larger than twenty dollars by a customer.

26 (8) Single transactions above five thousand dollars.

27 (9) A scrap metal recycling facility, as defined in R.S. 37:1962.

28 (10) Continuous service or membership contract agreements.

1 D. A business that violates this Section is subject to a civil penalty of up to
2 two thousand five hundred dollars for a first offense, up to five thousand dollars for
3 a second offense, and up to ten thousand dollars for a third or subsequent offense, to
4 be assessed by the Department of Justice, consumer protection section.

5 E. The Department of Justice shall adopt rules necessary to implement this
6 Part.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 610 Original

2024 Regular Session

Bayham

Abstract: Requires certain businesses to accept cash as a payment option for in-person transactions.

Proposed law defines "business", "cash", and "customer".

Proposed law applies to retail businesses that offer in-person services and does not include any of the following:

- (1) Certain parking facilities.
- (2) A business providing services by accountants, architects, attorneys, engineers, financial advisers, insurance agents, interior designers, software developers, or management and other consultants.
- (3) Sales in which the business suspects the use of counterfeit cash.
- (4) The use of cash larger than a \$20 bill.
- (5) Single transactions above \$5,000.
- (6) Scrap metal recycling facilities.
- (7) Continuous service or membership contract agreements.

Proposed law provides for the following civil penalties when a business violates proposed law:

- (1) \$2,500 for first offense.
- (2) \$5,000 for second offense.
- (3) \$10,000 any subsequent offenses.

Proposed law provides that the Dept. of Justice shall adopt rules necessary to implement proposed law.

(Adds R.S. 51:11)