

HCS HB 3256 -- RETAIL ESTABLISHMENTS

SPONSOR: Durnell

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Tax Reform by a vote of 5 to 1.

The following is a summary of the House Committee Substitute for HB 3256.

This bill establishes provisions that requires all retail establishments offering goods or services for sale to accept United States currency, including Federal Reserve notes, from the buyer to purchase said goods or services.

This provision does not apply to:

- (1) Gas stations that have unattended or self-service systems and do not have on-site personnel to accept cash payments;
- (2) Any online retail transaction of any kind;
- (3) A retail transaction that requires a security deposit or credit card number for incidentals or damages;
- (4) A retail establishment that uses a device to convert a consumer's cash into a prepaid card that allows the consumer to complete a transaction at the retail establishment, as specified; or
- (5) A retail establishment with more than one point of sale at a single address as long as one or more points of sale at the address accept United States currency.

This bill establishes a penalty of a class D misdemeanor and a fine of no more than \$500 per transaction or attempted transaction for an establishment that fails to accept United States currency from a buyer.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that there has been an increase in the number of establishments that state they are cashless facilities, and this does not allow people, including seniors and

youth who do not have debit or credit cards, to participate at certain events and establishments. Those in support of this bill state this bill ensures cash remains a viable and respected form of payment in Missouri. Supporters also state this bill accounts for unattended and pay-at-the-pump gas stations.

Testifying in person for the bill were Representative Durnell; Liberty Link Missouri Armorvine, LLC; Missouri Petroleum & Convenience Association.

OPPONENTS: Those who oppose the bill say that businesses should decide how they deliver the services they offer. Opponents also state that a few other states have banned cashless retail establishments, but Missouri would be the only one that includes a criminal penalty.

Testifying in person against the bill was Missouri Chamber of Commerce and Industry.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.