

Committee Amendment to LD 1159

Majority Report

Committee: HED

LA: SP

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LR (item): 1078(02)

New Title: No

Add Emergency: No

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OFPR

LD 1159 – An Act to Prohibit Businesses from Refusing to Accept Cash for In-person Payments

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

Sec. 1. 10 MRSA c. 239 is enacted to read:

CHAPTER 239

PAYMENT BY CASH

§1500-Y. Payment by cash

Except as provided in section 1500-2, a business, municipality or other governmental entity offering goods or services for sale at retail that charges a customer a fee on purchases made by credit card may not refuse payment in the form of cash for the goods or services.

For purposes of this section, "sale at retail" means any retail transaction conducted in person and does not include a transaction conducted remotely by telephone, mail or the Internet.

§1500-Z. Exemptions. The requirements of section 1500-y do not apply to the sale of goods or services by:

1. A hotel as defined in Title 36, section 1752, subsection 4;
2. A person engaged in the business of renting motor vehicles subject to the requirements of Title 29-A, section 254; or
3. A business that does not have a permanent physical presence in a building.

SUMMARY

This amendment, which is the majority report of the committee, replaces the bill. The amendment requires businesses, municipalities or other governmental entities that charge a credit card fee on the purchase of goods or services to accept cash. The amendment exempts certain businesses that engage in motor vehicle rentals, short-term lodging, and businesses that do not operate within a permanent physical location.