

SENATE BILL NO. 558

INTRODUCED BY S. MORIGEAU

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING RETAIL ESTABLISHMENTS, THE STATE, AND POLITICAL SUBDIVISIONS OF THE STATE TO ACCEPT UNITED STATES CURRENCY; REQUIRING THE ACCEPTANCE OF UNITED STATES CURRENCY AS IT APPLIES TO THE PAYMENT OF GOODS AND SERVICES; PROVIDING EXCEPTIONS; AND PROVIDING A FEE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Acceptance of United States currency -- retailers -- government subdivision. (1) (a) Except as provided in subsection (2), a retail establishment offering goods or services for sale must accept United States currency, including federal reserve notes, from a buyer to purchase the goods or services.

(b) The state or any political subdivision of the state shall accept United States currency, including federal reserve notes, from any member of the public.

(2) (a) This section applies to a retail establishment only if the establishment has an individual accepting payment in person for the goods and services being offered.

(b) This section does not apply to a retail transaction in which the retail establishment requires that:

(i) a security deposit be placed on a credit card; or

(ii) a credit card number be provided to cover unforeseen damages or expenses.

(c) This section does not apply to a retail establishment that uses a device to convert a consumer's cash into a prepaid card allowing the consumer to complete a transaction at the retail establishment if:

(i) the transaction does not include a fee;

(ii) the transaction does not require a minimum deposit greater than \$1;

(iii) on request, the consumer is provided with a receipt indicating the amount of cash the

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1 consumer deposited in the prepaid card; and

2 (iv) the underlying money on the prepaid card is not subject to an expiration date and there is no
3 limit on the number of transactions that may be completed using the prepaid card.

4 (d) This section does not apply to a bank or a credit union as defined in Title 32.

5 (e) A retail establishment with more than one point of sale at a single address complies with this
6 section if it accepts United States currency, including federal reserve notes, at no fewer than one point of sale
7 at the address.

8 (3) A person who fails to accept United States currency as required in subsection (1) must pay a

9 ~~one-time maximum~~ \$100 fee per violation of this section, determined by the department of justice, to the

10 department of justice for the administration of this section to continue to transact business.

11

12 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
13 integral part of Title 30, and the provisions of Title 30 apply to [section 1].

14 - END -