

SB1979



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1979

Introduced 2/9/2023, by Sen. Omar Aquino

SYNOPSIS AS INTRODUCED:

815 ILCS 505/BBBB new

Amends the Consumer Fraud and Deceptive Business Practices Act. Provides that any person engaged in the business of selling or offering to sell goods or services at retail to the public with an individual accepting in-person payments at a physical location shall not: (1) refuse to accept cash as a form of payment for sales of less than \$2,000 made at the physical location; (2) post a sign on the premises stating that cash payment is not accepted; or (3) charge a higher price to customers paying with cash compared to the price charged to customers not paying with cash. Provides for specified exceptions. Provides that any person who violates the provisions commits an unlawful practice within the meaning of the Act. Effective January 1, 2024.

LRB103 29029 SPS 55415 b

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Consumer Fraud and Deceptive Business
5 Practices Act is amended by adding Section BBBB as follows:

6 (815 ILCS 505/BBBB new)

7 Sec. BBBB. Retail businesses prohibited from refusing cash
8 payments.

9 (a) As used in this Section, "cash" means the coin and
10 paper money of the United States.

11 (b) Any person engaged in the business of selling or
12 offering to sell goods or services at retail to the public with
13 an individual accepting in-person payments at a physical
14 location shall not:

15 (1) refuse to accept cash as a form of payment for
16 sales of less than \$2,000 made at such physical location;

17 (2) post a sign on the premises stating that cash
18 payment is not accepted; or

19 (3) charge a higher price to customers paying with
20 cash compared to the price charged to customers not paying
21 with cash.

22 (c) The provisions of subsection (a) shall not apply to a
23 person if the person:

- 1 (1) is unable to accept cash because of:
- 2 (A) a sales system failure that temporarily
3 prevents the processing of cash payments; or
- 4 (B) a temporary insufficiency in cash on hand
5 needed to provide change;
- 6 (2) provides customers with a device that converts
7 cash into prepaid cards on the premises if:
- 8 (A) there is no fee for use of the device;
- 9 (B) the device does not require a minimum deposit
10 of more than one dollar;
- 11 (C) any funds placed onto a prepaid card using the
12 device do not expire;
- 13 (D) the device does not collect any personal
14 identifying information from the customer; and
- 15 (E) there is no fee to use the prepaid card that
16 the device produces; or
- 17 (3) is selling or offering to sell goods or services
18 at retail to the public:
- 19 (A) as a street vendor;
- 20 (B) as a vendor at a temporary market or festival;
- 21 (C) from any business operating from a vehicle or
22 other mobile space, such as a food truck; or
- 23 (D) from a temporary physical premises, such as a
24 pop-up shop.
- 25 (d) A person who sells or offers to sell goods or services
26 at retail at a physical location with more than one point of

1 sale complies with this Section if no fewer than one point of
2 sale at that physical location accepts cash. If the physical
3 location includes one or more drive-through or drive-in points
4 of sale, no fewer than one drive-through or drive-in point of
5 sale at that physical location must accept cash.

6 (e) This Section does not apply to retail sales made via
7 mail, telephone, or Internet.

8 (f) Nothing in this Section requires a person to accept
9 \$20 bills or any larger bill as payment for goods or services.

10 (g) Any person who violates this Section commits an
11 unlawful practice within the meaning of this Act.

12 Section 99. Effective date. This Act takes effect on
13 January 1, 2024.