

**First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 21-0208.01 Jery Payne x2157

**HOUSE BILL 21-1048**

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**HOUSE SPONSORSHIP**

**Valdez A.**, Arndt, Bernett, Bird, Duran, Exum, Herod, Hooton, Lontine, Mullica, Titone, Woodrow

**SENATE SPONSORSHIP**

**Rodriguez**, Fields, Garcia, Gonzales

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**House Committees**  
Business Affairs & Labor

**Senate Committees**  
Business, Labor, & Technology

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**A BILL FOR AN ACT**

101      **CONCERNING A REQUIREMENT THAT RETAIL ESTABLISHMENTS ACCEPT**  
102      **UNITED STATES CURRENCY FOR PURCHASES.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires retail establishments that offer goods or services to accept United States currency (cash) to purchase the goods or services, but applies only to establishments that have an individual accepting payment in person. A violation is a class 2 petty offense punishable by a fine of up to \$500.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 16, 2021

SENATE  
Amended 2nd Reading  
April 15, 2021

HOUSE  
3rd Reading Unamended  
March 25, 2021

HOUSE  
Amended 2nd Reading  
March 24, 2021

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 11-61-102 as  
3 follows:

4 **11-61-102. Retailers' acceptance of United States currency.**

5 (1) EXCEPT AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, A RETAIL  
6 ESTABLISHMENT OFFERING GOODS OR SERVICES FOR SALE SHALL ACCEPT  
7 UNITED STATES CURRENCY, INCLUDING FEDERAL RESERVE NOTES, FROM  
8 A BUYER TO PURCHASE THE GOODS OR SERVICES.

9 (2) (a) THIS SECTION APPLIES TO A RETAIL ESTABLISHMENT ONLY  
10 IF THE ESTABLISHMENT HAS AN INDIVIDUAL ACCEPTING PAYMENT IN  
11 PERSON FOR THE GOODS AND SERVICES BEING OFFERED.

12 (b) THIS SECTION DOES NOT APPLY TO A RETAIL TRANSACTION IN  
13 WHICH THE RETAIL ESTABLISHMENT REQUIRES THAT:

14 (I) A SECURITY DEPOSIT BE PLACED ON A CREDIT CARD; OR

15 (II) A CREDIT CARD NUMBER BE PROVIDED TO COVER UNFORESEEN  
16 DAMAGES OR EXPENSES.

17 (c) THIS SECTION DOES NOT APPLY TO A RETAIL ESTABLISHMENT  
18 THAT USES A DEVICE TO CONVERT A CONSUMER'S CASH INTO A PREPAID  
19 CARD ALLOWING THE CONSUMER TO COMPLETE A TRANSACTION AT THE  
20 RETAIL ESTABLISHMENT IF:

21 (I) THE TRANSACTION DOES NOT INCLUDE A FEE;

22 (II) THE TRANSACTION DOES NOT REQUIRE A MINIMUM DEPOSIT  
23 AMOUNT GREATER THAN ONE DOLLAR;

24 (III) UPON REQUEST, THE CONSUMER IS PROVIDED WITH A RECEIPT  
25 INDICATING THE AMOUNT OF CASH THE CONSUMER DEPOSITED ONTO THE  
26 PREPAID CARD; AND

1           (IV) THE UNDERLYING MONEY ON THE PREPAID CARD IS NOT  
2           SUBJECT TO AN EXPIRATION DATE AND THERE IS NO LIMIT ON THE NUMBER  
3           OF TRANSACTIONS THAT MAY BE COMPLETED USING PREPAID CARD.

4           (d) THIS SECTION DOES NOT APPLY TO A BANK, AS DEFINED IN  
5           SECTION 11-101-401 (5), OR A CREDIT UNION, AS DEFINED IN SECTION  
6           11-30-101 (1)(a).

7           (e) A RETAIL ESTABLISHMENT WITH MORE THAN ONE POINT OF  
8           SALE AT A SINGLE ADDRESS COMPLIES WITH THIS SECTION IF IT ACCEPTS  
9           UNITED STATES CURRENCY, INCLUDING FEDERAL RESERVE NOTES, AT NO  
10           FEWER THAN ONE POINT OF SALE AT THE ADDRESS.

11           (3) FAILING TO ACCEPT UNITED STATES CURRENCY FROM A BUYER  
12 AS REQUIRED BY SUBSECTION (1) OF THIS SECTION IS A CLASS 2 PETTY  
13 OFFENSE AND, UPON CONVICTION, SHALL BE PUNISHED BY A FINE OF NOT  
14 MORE THAN TWO HUNDRED FIFTY DOLLARS PER TRANSACTION OR  
15 ATTEMPTED TRANSACTION.

16           **SECTION 2. Act subject to petition - effective date -**  
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
18 the expiration of the ninety-day period after final adjournment of the  
19 general assembly; except that, if a referendum petition is filed pursuant  
20 to section 1 (3) of article V of the state constitution against this act or an  
21 item, section, or part of this act within such period, then the act, item,  
22 section, or part will not take effect unless approved by the people at the  
23 general election to be held in November 2022 and, in such case, will take  
24 effect on the date of the official declaration of the vote thereon by the  
25 governor.

26           (2) This act applies to offenses committed on or after the  
27 applicable effective date of this act.