

Senate Bill 1176

Sponsored by Senators MANNING JR, PROZANSKI, WEBER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Tells a state agency to make an effort to teach people about the law that says that they must accept cash as payment for goods and services. (Flesch Readability Score: 69.7).

Requires the Bureau of Labor and Industries to conduct an effort to publicize and explain the obligation to accept cash as payment for goods and services to places of public accommodation and residents of this state. Requires the bureau to continue the effort until the bureau determines that a high rate of compliance exists among persons that are subject to the obligation.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to education efforts concerning the obligation of places of public accommodation to accept
3 cash as payment; amending ORS 659A.410; and prescribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 659A.410 is amended to read:

6 659A.410. (1) Except as provided in subsections (2) and (4) of this section, it is an unlawful
7 practice under ORS chapter 659A for a place of public accommodation offering goods or services,
8 or any person acting on behalf of such place, to:

9 (a) Refuse to accept from a customer or patron, as payment for goods and services, any of the
10 following:

11 (A) United States coins.

12 (B) United States currency, including federal reserve bank notes and circulating notes of federal
13 reserve banks and national banks.

14 (b) Make any distinction, discrimination or restriction because a customer or patron offers any
15 of the following as payment for goods and services:

16 (A) United States coins.

17 (B) United States currency, including federal reserve bank notes and circulating notes of federal
18 reserve banks and national banks.

19 (2) Notwithstanding subsection (1) of this section, a place of public accommodation, or any per-
20 son acting on behalf of such place, may refuse to accept as payment for goods and services:

21 (a) United States coins, in any combination, in an amount equal to or greater than \$100; or

22 (b) United States currency in denominations of \$50 or \$100.

23 (3) This section does not apply to:

24 (a) Farmers' markets or roadside stands;

25 (b) Transactions occurring on aircraft;

26 (c) Transactions for goods or services involving a place or service offering goods, services,
27 transient lodging or transportation, when the transaction or a portion of the transaction requires
28 a customer or patron to deposit moneys or sign an agreement to rent or lease consumer goods;

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (d) Any establishment that is owned by or operated under the control of the United States
2 Government or an agency of the United States;

3 (e) Retail transactions that occur entirely over the telephone or by mail;

4 (f) Internet-based transactions;

5 (g) The purchase of diesel fuel or Class 1 flammable liquids at a filling station, service station,
6 garage or other dispensary where diesel fuel or Class 1 flammable liquids are dispensed and sold
7 at retail, during the hours in which the filling station, service station, garage or dispensary is un-
8 attended by an owner, operator or other employee to dispense the fuel or liquids or is attended by
9 only one owner, operator or other employee to dispense the fuel or liquids;

10 (h) Electric vehicle charging stations;

11 (i) Transactions that occur in a micro market, including purchases from a vending machine;

12 (j) Purchases from a vending machine, unless the vending machine is located within a concen-
13 tration or cluster of more than eight vending machines that do not accept coins or currency as
14 payment for purchases;

15 (k) Activities for which a license or certificate is required to transact insurance;

16 (L) A place of public accommodation that provides hospital or medical services and that bills
17 or invoices a person after such services are rendered, provided that the place of public accommo-
18 dation accepts coins and currency as payment for the bill or invoice by mail or at a designated lo-
19 cation other than the location where the services are rendered;

20 (m) Any regional office of the Department of Revenue;

21 (n) A place of public accommodation that is a branch or office of a bank holding company, fi-
22 nancial holding company, financial institution or trust company or an affiliate of a bank holding
23 company, financial holding company, financial institution or trust company;

24 (o) Transactions for which a license is required under ORS 59.165;

25 (p) Transactions for which a license is required under ORS 86A.095 to 86A.198, 86A.200 to
26 86A.239 or 86A.303 to 86A.339;

27 (q) Escrow transactions for which a license is required under ORS 696.511;

28 (r) A licensee under ORS chapter 725;

29 (s) A membership-only retail establishment where goods and services are sold to members who
30 pay a recurring membership fee;

31 (t) On-street and off-street parking pay stations that accept either coins or currency as one
32 method of payment; or

33 (u) On-street and off-street parking pay stations that do not accept coins or currency, provided
34 that access to another pay station that accepts coins or currency as payment for the parking is
35 made readily available to patrons.

36 (4) It is not a violation of subsection (1) of this section for a place of public accommodation,
37 including a venue or facility used for live entertainment or sporting events, to require patrons or
38 event attendees to make purchases at different points of sale within the place of public accommo-
39 dation using a payment system that transfers or converts cash into a cashless payment instrument,
40 including, but not limited to, tokens, cards, wristbands or other instruments that are preloaded with
41 funds, provided that the place of public accommodation does not charge a transaction fee for the
42 conversion or transfer of cash to the cashless payment instrument or to refund any balance that
43 remains on the cashless payment instrument back to the patron or event attendee.

44 (5) Nothing in this section may be construed to prohibit, restrict or otherwise interfere with the
45 ability of a place of public accommodation to:

1 (a) Accept, in addition to the forms of payment described under subsection (1) of this section,
 2 as payment for goods or services any other form of payment, provided that such payment is not
 3 prohibited under federal or state law;

4 (b) After services are rendered, invoice or bill a customer or patron, or submit a claim to a third
 5 party to receive payment for the services; or

6 (c) Offer a customer or patron an incentive for paying for goods or services in coin or currency.

7 (6) A person who alleges a violation of subsection (1) of this section may file a complaint with
 8 the Commissioner of the Bureau of Labor and Industries in the manner provided by ORS 659A.820.

9 **(7) The Bureau of Labor and Industries shall conduct an ongoing advertising and educa-**
 10 **tion effort to publicize and explain the obligations set forth in subsection (1) of this section**
 11 **to places of public accommodation, to persons acting on behalf of places of public accom-**
 12 **modation and to the public. The bureau's effort shall use such methods and media as the**
 13 **bureau determines will in a cost-effective manner reach the largest number of places of**
 14 **public accommodation and residents of this state. The bureau shall continue the effort de-**
 15 **scribed in this subsection until the bureau determines that a high level of compliance exists**
 16 **among places of public accommodation and persons acting on behalf of places of public ac-**
 17 **commodation.**

18 [(7)] (8) As used in this section:

19 (a) "Affiliate" means any company that controls, is controlled by or is under common control
 20 of another company.

21 (b) "Bank holding company," "financial holding company," "financial institution" and "trust
 22 company" have the meanings given those terms in ORS 706.008.

23 (c) "Class 1 flammable liquids" has the meaning given that term in ORS 480.310.

24 (d) "Consumer goods" has the meaning given that term in ORS 79.0102.

25 (e) "Escrow" has the meaning given that term in ORS 696.505.

26 (f)(A) "Internet-based transaction" means a transaction that occurs over the Internet and that
 27 involves a sale, purchase or reservation of or deposit for goods or services to be picked up by, de-
 28 livered to, shipped to or consumed by a customer or patron.

29 (B) "Internet-based transaction" does not mean an in-person transaction.

30 (g) "Micro market" means an unattended retail establishment to which access by the general
 31 public is restricted that offers whole or fresh-cut fruit and vegetables, packaged foods or beverages
 32 for purchase through an automated payment processing system.

33 (h) "Place of public accommodation" has the meaning given that term in ORS 659A.400.

34 (i) "Regional office" means an office of the Department of Revenue other than a central office
 35 or headquarters building located in Salem.

36 (j) "Transact insurance" has the meaning given that term in ORS 731.146.

37 (k) "Transient lodging" has the meaning given that term in ORS 699.005.

38 (L) "Vending machine" has the meaning given that term in ORS 624.310.

39 **SECTION 2. This 2025 Act takes effect on the 91st day after the date on which the 2025**
 40 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**