

DRAFT

SUMMARY

Digest: The Act allows places of public accommodation to round some transactions to the nearest five cents. Says it is an emergency. (Flesch Readability Score: 63.2).

Allows a place of public accommodation offering goods or services to adopt a rounding policy under which the final digit of the total amount due or remaining amount due in certain in-person transactions will be rounded to the nearest five-cent increment. Provides an exception for a buyer who pays in exact change. Requires a place of public accommodation to post signs giving notice of the rounding policy. Declares that rounding done in accordance with the Act is not an unlawful distinction, discrimination or restriction against United States coins or currency under ORS chapter 659A or price misrepresentation under ORS 618.236. Exempts from liability as an unlawful trade or business practice any rounding done in accordance with the Act.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to rounding procedures in transactions; creating new provisions; amending ORS 659A.410; and declaring an emergency.

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

SECTION 1. (1) **As used in this section:**

(a) **“Cash transaction” means a purchase of goods or services by a buyer from a seller for which the buyer pays the total amount due in cash.**

(b) **“Internet-based transaction” has the meaning given that term in ORS 659A.410.**

(c) **“Mixed-tender transaction” means a purchase of goods or services by a buyer from a seller for which the buyer pays the total**

1 amount due with a combination of cash and one or more non-cash
2 payment instruments.

3 (d)(A) “Non-cash payment instrument” means any demand or ne-
4 gotiable instrument, electronic fund transfer, money order, credit
5 card, debit card, electronic payment or other like instrument.

6 (B) “Non-cash payment instrument” does not mean United States
7 coin or United States currency.

8 (e) “Remaining amount due” means the combined sales price for the
9 purchase of goods or services, after any discounts or adjustments are
10 made by the seller, and less any amount already paid by the buyer to
11 the seller for the purchase.

12 (f) “Total amount due” means the combined sales price for the
13 purchase of goods or services, after any discounts or adjustments are
14 made by the seller.

15 (2) A place of public accommodation offering goods or services may
16 adopt a rounding policy for in-person cash transactions or mixed-
17 tender transactions in accordance with the provisions of this section.
18 If a rounding policy is adopted under this section, the policy must be
19 applied consistently to all transactions and rounding shall be as fol-
20 lows:

21 (a) For cash transactions:

22 (A) If the final digit of the total amount due ends in one cent, two
23 cents, six cents or seven cents, the final digit shall be rounded down
24 to the nearest amount divisible by five cents;

25 (B) If the final digit of the total amount due ends in three cents,
26 four cents, eight cents or nine cents, the final digit shall be rounded
27 up to the nearest amount divisible by five cents; or

28 (C) If the final digit of the total amount due ends in zero cents or
29 five cents, the final digit may not be rounded up or down.

30 (b) For mixed-tender transactions:

31 (A) If the buyer first pays a portion of the total amount due in cash

1 and then pays the remaining amount due with a non-cash payment
2 instrument, rounding may not be applied to any portion of the trans-
3 action.

4 (B) If the buyer first pays a portion of the total amount due with
5 a non-cash payment instrument and then pays the remaining amount
6 due in cash, any rounding of the final digit of the remaining amount
7 due shall be in accordance with paragraph (a)(A) to (C) of this sub-
8 section.

9 (c) Notwithstanding paragraphs (a) and (b) of this subsection, a
10 buyer in an in-person cash transaction or mixed-tender transaction
11 may pay the total amount due or remaining amount due in exact
12 change and rounding may not be applied to the transaction.

13 (3) A place of public accommodation offering goods or services that
14 adopts a rounding policy under this section shall post signs in suffi-
15 cient number to give notice to members of the public entering onto
16 or leaving the business premises of the rounding policy, including the
17 specific rounding procedures described in subsection (2) of this section.

18 (4) Rounding done in accordance with the provisions of this section
19 does not constitute a violation of ORS 618.236.

20 (5) A place of public accommodation offering goods or services that
21 engages in rounding under this section may not be held liable for the
22 rounding under any provision of ORS 646.605 to 646.652 if the rounding
23 is done in accordance with the provisions of this section.

24 (6) This section does not apply to:

25 (a) Retail transactions that occur entirely over the telephone or by
26 mail; or

27 (b) Internet-based transactions.

28 **SECTION 2.** ORS 659A.410 is amended to read:

29 659A.410. (1) Except as provided in subsections (2) and (4) of this section,
30 it is an unlawful practice under ORS chapter 659A for a place of public ac-
31 commodation offering goods or services, or any person acting on behalf of

1 such place, to:

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

4 (A) United States coins.

5 (B) United States currency, including federal reserve bank notes and cir-
6 culating notes of federal reserve banks and national banks.

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

9 (A) United States coins.

10 (B) United States currency, including federal reserve bank notes and cir-
11 culating notes of federal reserve banks and national banks.

12 (2) Notwithstanding subsection (1) of this section, a place of public ac-
13 commodation, or any person acting on behalf of such place, may refuse to
14 accept as payment for goods and services:

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

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

18 (3) This section does not apply to:

19 (a) Farmers' markets or roadside stands;

20 (b) Transactions occurring on aircraft;

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

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

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

28 (f) Internet-based transactions;

29 (g) The purchase of diesel fuel or Class 1 flammable liquids at a filling
30 station, service station, garage or other dispensary where diesel fuel or Class
31 1 flammable liquids are dispensed and sold at retail, during the hours in

1 which the filling station, service station, garage or dispensary is unattended
2 by an owner, operator or other employee to dispense the fuel or liquids or
3 is attended by only one owner, operator or other employee to dispense the
4 fuel or liquids;

5 (h) Electric vehicle charging stations;

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

8 (j) Purchases from a vending machine, unless the vending machine is lo-
9 cated within a concentration or cluster of more than eight vending machines
10 that do not accept coins or currency as payment for purchases;

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

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

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

19 (n) A place of public accommodation that is a branch or office of a bank
20 holding company, financial holding company, financial institution or trust
21 company or an affiliate of a bank holding company, financial holding com-
22 pany, financial institution or trust company;

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

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

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

27 (r) A licensee under ORS chapter 725;

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

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

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

(4) It is not a violation of subsection (1) of this section for:

(a) A place of public accommodation, including a venue or facility used for live entertainment or sporting events, to require patrons or event attendees to make purchases at different points of sale within the place of public accommodation using a payment system that transfers or converts cash into a cashless payment instrument, including, but not limited to, tokens, cards, wristbands or other instruments that are preloaded with funds, provided that the place of public accommodation does not charge a transaction fee for the conversion or transfer of cash to the cashless payment instrument or to refund any balance that remains on the cashless payment instrument back to the patron or event attendee[.]; **or**

(b) A place of public accommodation to engage in rounding in accordance with section 1 of this 2026 Act.

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

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

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

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

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

(7) The Bureau of Labor and Industries shall conduct an ongoing advertising and education effort to publicize and explain the obligations set forth

in subsection (1) of this section to places of public accommodation, to persons acting on behalf of places of public accommodation and to the public. The bureau's effort shall use such methods and media as the bureau determines will in a cost-effective manner reach the largest number of places of public accommodation and residents of this state. The bureau shall continue the effort described in this subsection until the bureau determines that a high level of compliance exists among places of public accommodation and persons acting on behalf of places of public accommodation.

(8) As used in this section:

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

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

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

(d) "Consumer goods" has the meaning given that term in ORS 79A.1020.

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

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

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

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

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

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

1 (j) “Transact insurance” has the meaning given that term in ORS 731.146.

2 (k) “Transient lodging” has the meaning given that term in ORS 699.005.

3 (L) “Vending machine” has the meaning given that term in ORS 624.310.

4 **SECTION 3. This 2026 Act being necessary for the immediate pres-**
5 **ervation of the public peace, health and safety, an emergency is de-**
6 **clared to exist, and this 2026 Act takes effect on its passage.**