

By Senator Jones

35-00547A-22

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1 A bill to be entitled
2 An act relating to acceptance of cash payments by
3 businesses; creating s. 559.96, F.S.; defining terms;
4 requiring certain businesses to accept cash payments
5 for certain transactions; prohibiting such businesses
6 from charging a fee or placing conditions on
7 acceptance of such cash payments; providing
8 applicability; providing penalties for violations of
9 the act; requiring the Department of Agriculture and
10 Consumer Services to adopt certain rules; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 559.96, Florida Statutes, is created to
16 read:

17 559.96 Acceptance of cash payments by businesses.—

18 (1) As used in this section, the term:

19 (a) "Business" means any business operating at a fixed,
20 permanent physical premises; from a vehicle or other mobile
21 space; or from a temporary physical premises.

22 (b) "Cash" means legal tender of the United States in the
23 form of coins or currency.

24 (c) "Department" means the Department of Agriculture and
25 Consumer Services.

26 (2) (a) A business must accept an offer of payment in cash
27 for any transaction involving the purchase of any tangible good
28 or any service if, in connection with such transaction, the
29 business would accept one or more other forms of payment and the

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30 customer seeking to engage in such transaction is physically
31 present at the place of business.

32 (b) A business may not charge a fee or place any other
33 condition on its acceptance of cash as required by paragraph
34 (a).

35 (3) This section does not apply to:

36 (a) Sales that are not conducted in person, including
37 telephone, mail, and Internet-based transactions, or other
38 electronic transactions.

39 (b) A parking facility owned by a municipality, regardless
40 of who operates the facility.

41 (c) A parking facility that accepts electronic funds
42 transfer.

43 (d) A business providing services by accountants,
44 architects, attorneys, engineers, financial advisers, insurance
45 agents, interior designers, software developers, or management
46 and other consultants, not including services provided by
47 licensed medical or allied health care practitioners.

48 (e) Sales in which the business suspects the use of
49 counterfeit cash.

50 (f) The use of cash denominations larger than \$20 by a
51 customer.

52 (g) Single transactions above \$5,000.

53 (4) A business that violates this section is subject to a
54 civil penalty of up to \$2,500 for a first offense, up to \$5,000
55 for a second offense, and up to \$10,000 for a third or
56 subsequent offense, to be assessed by the department.

57 (5) The department shall adopt rules necessary to implement
58 this section.

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Section 2. This act shall take effect July 1, 2022.