

1 ENGROSSED HOUSE
2 BILL NO. 1633

By: Staires, Boles, and Maynard
of the House

3 and

4 Bergstrom of the Senate

5
6
7 [legal tender - acceptance of cash as legal tender -
8 penalties and enforcement - codification -
9 effective date]
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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 3001 of Title 25, unless there
15 is created a duplication in numbering, reads as follows:

16 This act shall be known and may be cited as "The Cash Protection
17 Act".

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3002 of Title 25, unless there
20 is created a duplication in numbering, reads as follows:

21 As used in this act:

22 1. "Agency" shall mean any governmental entity;

23 2. "Cash" shall mean United States currency in the form of
24 coins or notes.

1 3. "Central bank digital currency" shall mean a digital version
2 of governmental currency backed by a central bank and tied to a
3 country's national currency;

4 4. "Regular business hours" shall mean the regular hours a
5 business is open to the public to conduct business transactions; and

6 5. "Businesses providing basic needs" shall mean a business
7 open to and engaged with the general public for the sale of basic
8 life essential goods or services, which includes:

9 a. grocery stores that sell food or water,

10 b. utility companies including electric companies, water
11 companies, natural gas companies, propane companies,
12 sewage companies, and Internet companies,

13 c. pharmacies and other businesses that provide medicines
14 or supplements, and

15 d. insurance companies which sell auto, life, health, and
16 property and casualty insurance.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 3003 of Title 25, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Businesses providing basic needs, selling or offering for
21 sale goods or services during regular business hours, shall not
22 require a buyer to pay using credit cards nor a central bank digital
23 currency nor prohibit the use of cash or money orders as payment in
24 order to purchase the goods or services. Businesses providing basic

1 needs selling or offering for sale goods or services during regular
2 business hours shall accept cash as legal tender when offered by the
3 buyer as payment and shall not charge a penalty for use of cash.

4 B. An agency shall not require any citizen of this state in
5 conducting transactions with the agency to pay using credit cards
6 nor a central bank digital currency and shall not prohibit cash as
7 payment in order to conduct transactions with the agency. An agency
8 shall accept cash as legal tender when offered and shall not charge
9 a penalty for use of cash.

10 SECTION 4. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 3004 of Title 25, unless there
12 is created a duplication in numbering, reads as follows:

13 Any person, entity, or agency in violation of this act shall be
14 subject to a warning for a first violation. A second violation
15 shall be punished by a fine not to exceed One Thousand Dollars
16 (\$1,000.00). A third violation shall be punished by a fine not to
17 exceed Two Thousand Five Hundred Dollars (\$2,500.00). A fourth or
18 subsequent violation shall be punished by a fine not to exceed Five
19 Thousand Dollars (\$5,000.00). The penalties in this subsection
20 shall be enforced by the Office of the Attorney General. Fines
21 collected by the Office of the Attorney General shall be deposited
22 in the General Revenue Fund of the State Treasury.

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1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3005 of Title 25, unless there
3 is created a duplication in numbering, reads as follows:

4 The provisions of this act shall not apply to online or over-
5 the-phone transactions, parking lots, wholesale or membership-based
6 retail stores, and goods sold exclusively through a membership model
7 that requires payment by means of an affiliated mobile device
8 application.

9 SECTION 6. This act shall become effective November 1, 2023.
10 Passed the House of Representatives the 23rd day of March, 2023.

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12 _____
13 Presiding Officer of the House
14 of Representatives

15 Passed the Senate the ____ day of _____, 2023.

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17 _____
18 Presiding Officer of the Senate