

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

H

1

HOUSE BILL 20

Short Title: Cash Commitment Act. (Public)

Sponsors: Representatives B. Jones, McNeely, Winslow, and Lowery (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Banking, if favorable, Judiciary 1, if favorable, Rules, Calendar, and Operations  
of the House

January 30, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROHIBIT RETAIL BUSINESSES FROM REFUSING CASH PAYMENTS.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** Chapter 66 of the General Statutes is amended by adding a new Article  
5 to read:

6 "Article 51.

7 "Cash Commitment Act.

8 **"§ 66-501. Short title and purpose.**

9 This Article may be cited as the Cash Commitment Act. The purpose of this Article is to  
10 ensure that every consumer has the right to use cash at retail businesses that accept in-person  
11 payments.

12 **"§ 66-502. Retail businesses prohibited from refusing cash payments.**

13 (a) Any person that engages in the business of selling goods or services at retail to the  
14 public and that accepts in-person payments at a physical location in this State shall satisfy both  
15 of the following requirements:

16 (1) The person shall accept cash as a form of payment for sales made at the  
17 physical location.

18 (2) The person shall not charge cash-paying customers a higher price compared  
19 to the price charged to customers not paying with cash.

20 (b) Subsection (a) of this section does not apply to a person in any of the following  
21 circumstances:

22 (1) The person is unable to accept cash either because of a sale system failure that  
23 temporarily prevents the processing of cash payments or because the person  
24 temporarily lacks sufficient cash on hand to make change.

25 (2) The person provides to customers a device at the physical location that  
26 converts cash into a prepaid card, so long as all of the following requirements  
27 are met:

28 a. There is no fee for the use of the device.

29 b. The device does not require a minimum deposit of more than one  
30 dollar (\$1.00).

31 c. Any funds placed on the prepaid card do not expire.

32 d. The device allows the customer to redeem any unused balance for cash  
33 at any time.



1 e. The device does not collect any personal identifying information from  
2 the customer.

3 f. There is no fee to use the prepaid card.

4 The person may impose a limit to the number of transactions for which a single  
5 prepaid card may be used.

6 **"§ 66-503. Right to not accept large bills.**

7 (a) Notwithstanding G.S. 66-502, this Article does not require a person to accept cash  
8 payments in one hundred dollar (\$100.00) bills or any larger bill. This subsection expires five  
9 years after the effective date of this act.

10 (b) The Secretary of Commerce shall adopt a rule to be effective when subsection (a) of  
11 this section expires that provides which denominations of bills a person subject to this Article is  
12 not required to accept. In any event, however, a person subject to this Article is required to accept  
13 one dollar (\$1.00), five dollar (\$5.00), ten dollar (\$10.00), twenty dollar (\$20.00), and fifty dollar  
14 (\$50.00) bills.

15 **"§ 66-504. Rulemaking; civil penalty.**

16 (a) The Secretary of Commerce may adopt rules to implement this Article and may  
17 prescribe additional exceptions to the requirements of G.S. 66-502(a).

18 (b) The Secretary of Commerce may assess a civil penalty against a person that violates  
19 this Article not to exceed two thousand five hundred dollars (\$2,500) for the first violation or  
20 five thousand dollars (\$5,000) for a subsequent violation. The clear proceeds of civil penalties  
21 imposed pursuant to this subsection shall be remitted to the Civil Penalty and Forfeiture Fund in  
22 accordance with G.S. 115C-457.2.

23 **"§ 66-505. Private right of action.**

24 (a) A person may bring a civil action and may seek relief, including injunctive relief,  
25 against a person that violates this Article.

26 (b) Upon the motion of an individual bringing a civil action under this section, the court  
27 may appoint an attorney for the individual and may waive the assessment of court costs.

28 (c) Upon the application of the Attorney General, the court may allow the Attorney  
29 General to intervene in a civil action brought under this section if the Attorney General certifies  
30 that the action is of general public importance.

31 (d) The court may award reasonable attorneys' fees to a party that prevails in a civil action  
32 brought under this section."

33 **SECTION 2.** This act becomes effective October 1, 2023.