

**ASSEMBLY, No. 591**

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**STATE OF NEW JERSEY**

**218th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Prohibits discrimination against cash-paying consumers.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 6/12/2018)**

1 AN ACT concerning payments by consumers and supplementing  
2 P.L.1960, c.39 (C.56:8-1 et seq.).

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. It shall be an unlawful practice and a violation of P.L.1960,  
8 c.39 (C.56:8-1 et seq.) for a person selling or offering for sale goods  
9 or services at retail to require a buyer to pay using credit or to  
10 prohibit cash as payment in order to purchase the goods or services.  
11 A person selling or offering for sale goods or services at retail shall  
12 accept legal tender when offered by the buyer as payment.

13 As used in this section, "at retail" shall include any retail  
14 transaction conducted in person and exclude any telephone, mail, or  
15 Internet-based transaction.

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17 2. This act shall take effect immediately.

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STATEMENT

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22 This bill prohibits discrimination against consumers paying for  
23 goods or services with cash.

24 Specifically, the bill makes it an unlawful practice under the  
25 consumer fraud act for a person to sell or offer for sale any goods or  
26 services at retail if the person requires the buyer to pay with credit  
27 or prohibits the buyer from paying with cash. The bill is applicable  
28 to any retail transaction conducted in-person, and excludes  
29 telephone, mail, or Internet-based transactions.

30 An unlawful practice is punishable by a monetary penalty of not  
31 more than \$10,000 for a first offense and not more than \$20,000 for  
32 any subsequent offense. Additionally, violations can result in cease  
33 and desist orders issued by the Attorney General, the assessment of  
34 punitive damages, and the awarding of treble damages and costs to  
35 the injured party.