

P.L. 2021, CHAPTER 28, *approved March 1, 2021*

Senate, No. 2713

1 **AN ACT** concerning payments by consumers and amending Title 56
2 of the Revised Statutes.

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

6
7 1. Section 1 of P.L.2019, c.50 (C.56:8-2.33) is amended to read
8 as follows:

9 1. a. A person selling or offering for sale goods or services at
10 retail shall not require a buyer to pay using credit or **【to】** prohibit
11 cash as payment in order to purchase the goods or services. A person
12 selling or offering for sale goods or services at retail shall accept legal
13 tender when offered by the buyer as payment.

14 b. A person in violation of subsection a. of this section shall be
15 subject to a civil penalty of up to \$2,500 for a first offense and up to
16 \$5,000 for a second offense, to be collected in a civil action by a
17 summary proceeding under the "Penalty Enforcement Law of 1999,"
18 P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court shall have
19 jurisdiction of proceedings for the enforcement of the penalty
20 provided by this section.

21 A third violation of subsection a. of this section is an unlawful
22 practice under P.L.1960, c.39 (C.56:8-1 et seq.), and for the purposes
23 of this subsection shall be considered a first offense under P.L.1960,
24 c.39 (C.56:8-1 et seq.).

25 A fourth or subsequent violation of subsection a. of this section is
26 an unlawful practice under P.L.1960, c.39 (C.56:8-1 et seq.), and for
27 the purposes of this subsection shall be considered a subsequent
28 offense under P.L.1960, c.39 (C.56:8-1 et seq.).

29 c. The provisions of this section shall not apply to:

30 (1) any person selling goods or services at an airport, provided
31 that at least two persons selling food at each terminal within the
32 airport accept cash as payment;

33 (2) any parking facility owned by a municipality, regardless of
34 whether the facility is operated by the municipality, a parking
35 authority, or an independent third party;

36 (3) any parking facility that accepts mobile payment, provided
37 that the facility does not accept payment by any means other than
38 mobile payment; **【and】**

39 (4) any company in the business of renting motor vehicles,
40 provided that the company accepts a cashier's check or a certified
41 check when offered by a buyer as payment; and

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

d. As used in this section, "at retail" shall include any retail transaction conducted in person and exclude any telephone, mail, or Internet-based transaction.
(cf: P.L.2019, c.50, s.1)

STATEMENT

It is the sponsor's belief that allowing cashless payments at certain sports and entertainment venues will shorten wait times at concession stands and merchandise shops and decrease physical contact, which will help reduce the risk of contracting COVID-19.

Allows for cashless payment at certain sports and entertainment venues.