

By the Appropriations Committee on Agriculture, Environment, and General Government; and Senator Jones

601-02199-24

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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; authorizing a business to
6 satisfy such requirements by placing a cash-to-card
7 kiosk at the business location for customers to make
8 payments; prohibiting such businesses from charging a
9 fee or placing conditions on acceptance of such cash
10 payments; providing applicability; providing penalties
11 for violations of the act; requiring the Department of
12 Agriculture and Consumer Services to adopt certain
13 rules; providing an effective date.

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

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17 Section 1. Section 559.96, Florida Statutes, is created to
18 read:

19 559.96 Acceptance of cash payments by businesses.—

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

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

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

26 (c) "Department" means the Department of Agriculture and
27 Consumer Services.

28 (2) (a) A business must accept an offer of payment in cash
29 for any transaction involving the purchase of any tangible good

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30 or any service if, in connection with such transaction, the
31 business would accept one or more other forms of payment and the
32 customer seeking to engage in such transaction is physically
33 present at the place of business.

34 (b) A business may satisfy the requirement in paragraph (a)
35 by having available on site a cash-to-card kiosk into which a
36 customer deposits cash and is given a debit card loaded with the
37 amount he or she deposited. The customer may use the debit card
38 to complete a transaction at the place of business.

39 (c) A business may not charge a fee or place any other
40 condition on its acceptance of cash as required by paragraph
41 (a).

42 (3) This section does not apply to:

43 (a) Sales that are not conducted in person, including
44 telephone, mail, and Internet-based or other electronic
45 transactions.

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

48 (c) A parking facility and commercial ground transportation
49 operations owned or operated by an airport or a seaport.

50 (d) A parking facility that accepts electronic funds
51 transfers.

52 (e) A business providing services by accountants,
53 architects, attorneys, engineers, financial advisers, insurance
54 agents, interior designers, software developers, or management
55 and other consultants, not including services provided by
56 licensed medical or allied health care practitioners.

57 (f) Sales in which the business suspects the use of
58 counterfeit cash.

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59 (g) The use of cash denominations larger than \$20 by a
60 customer.

61 (h) Single transactions above \$5,000.

62 (i) Secondary metals recyclers, as defined in s. 538.18.

63 (j) Continuous service or membership contract agreements.

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

68 (5) The department shall adopt rules necessary to implement
69 this section.

70 Section 2. This act shall take effect July 1, 2024.