

House Engrossed

businesses; requirement to accept cash

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

# HOUSE BILL 2555

AN ACT

AMENDING TITLE 44, CHAPTER 38, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 44-7952; RELATING TO BUSINESSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The chapter heading of title 44, chapter 38, Arizona Revised  
4 Statutes, is changed from "BUSINESSES EXEMPT FROM MASK MANDATE" to  
5 "BUSINESSES GENERALLY".

6 Sec. 2. Title 44, chapter 38, article 1, Arizona Revised Statutes,  
7 is amended by adding section 44-7952, to read:

8 44-7952. Retail businesses with physical locations in this  
9 state; requirements; acceptance of cash; cause of  
10 action; exemptions; definition

11 A. A RETAIL BUSINESS WITH A PHYSICAL LOCATION IN THIS STATE MUST  
12 ACCEPT CASH AS A FORM OF PAYMENT FOR GOODS AND SERVICES WITH AN AGGREGATE  
13 VALUE OF \$100 OR LESS AND MAY NOT CHARGE A FEE OR PENALTY FOR USING CASH  
14 AS A FORM OF PAYMENT.

15 B. ANY PERSON WHO IS DENIED THE RIGHT TO USE CASH AS A FORM OF  
16 PAYMENT FOR GOODS OR SERVICES OR WHO IS CHARGED A FEE OR PENALTY FOR USING  
17 CASH AS A FORM OF PAYMENT HAS A CAUSE OF ACTION AGAINST A PERSON THAT  
18 VIOLATES SUBSECTION A OF THIS SECTION. A PERSON THAT VIOLATES SUBSECTION  
19 A OF THIS SECTION IS LIABLE FOR DAMAGES FOR EACH VIOLATION IN AN AMOUNT OF  
20 \$1,000 BUT NOT MORE THAN \$1,000 PER PERSON PER DAY OR \$5,000 PER PERSON  
21 TOTAL. THE PREVAILING PLAINTIFF IN AN ACTION SHALL ALSO BE ENTITLED TO  
22 RECOVER REASONABLE ATTORNEY FEES AND COSTS.

23 C. THE COURT SHALL ANNUALLY ADJUST THE DAMAGES SET FORTH IN  
24 SUBSECTION B OF THIS SECTION FOR INFLATION IN ACCORDANCE WITH THE CONSUMER  
25 PRICE INDEX AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU  
26 OF LABOR STATISTICS.

27 D. THIS SECTION DOES NOT APPLY TO:

28 1. A WRITTEN CONTRACT BETWEEN TWO PARTIES THAT DICTATES THE  
29 ACCEPTABLE FORM OF PAYMENT.

30 2. THE ONLINE SALE OF GOODS OR SERVICES.

31 E. FOR THE PURPOSES OF THIS SECTION, "RETAIL BUSINESS" MEANS EVERY  
32 BUSINESS CLASSIFIED UNDER THE RETAIL CLASSIFICATION PURSUANT TO SECTION  
33 42-5061.