A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend Title 28 of the District of Columbia Official Code to prohibit retail establishments from discriminating against cash as a form of payment, and to provide for enforcement of this requirement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Cashless Retailers Prohibition Act of 2019”.

Sec. 2. Title 28 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new chapter designation to read as follows:

“54. Cashless Retail Prohibition.”

(b) Section 28-3904 is amended as follows:

(1) Paragraph (hh) is amended by striking the word “or”.

(2) Paragraph (ii) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new paragraph (jj) is added to read as follows:
“(jj) violate any provision of Chapter 54 of this title.”.

(c) A new Chapter 54 is added to read as follows:

"CHAPTER 54. CASHLESS RETAIL PROHIBITION.

"Sec.

"28-5401. Definitions.

"28-5402. Prohibited practices.

"28-5403. Civil penalties.

"§28-5401. Definitions.

"For the purposes of this chapter, the term “retailer” means a person holding a basic business license who sells products or services in a retail setting in small quantities directly to the ultimate consumer.

"§28-5402. Prohibited practices.

"A retailer shall not discriminate against cash as a form of payment for services purchased on the licensed premises, including by:

"(a) Refusing to accept cash as a form of payment;

"(b) Posting signs on the licensed premises that cash payment is not accepted;

"(c) Charging different prices to customers depending on their payment method.

"§28-5403. Civil penalties.

"(a) Failure to comply with the requirements of this chapter shall be an unlawful trade practice under § 28-3904.”.

Sec. 3. Fiscal impact statement.

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; DC Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.