ASSEMBLY, No. 591

STATE OF NEW JERSEY
218th LEGISLATURE

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

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

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

As used in this section, “at retail” shall include any retail transaction conducted in person and exclude any telephone, mail, or Internet-based transaction.

2. This act shall take effect immediately.

STATEMENT

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

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

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