

[First Reprint]

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)

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

Co-Sponsored by:

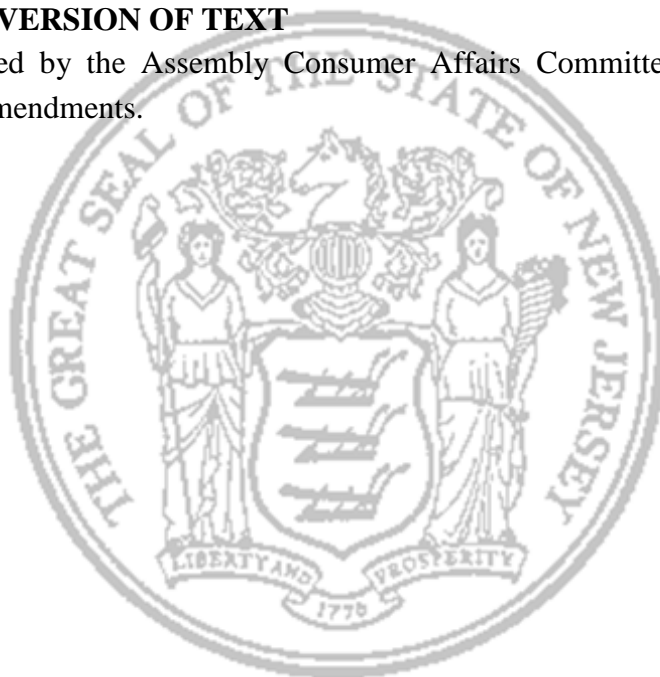
Assemblywomen McKnight, Mosquera and Assemblyman Schaer

SYNOPSIS

Prohibits discrimination against cash-paying consumers.

CURRENT VERSION OF TEXT

As reported by the Assembly Consumer Affairs Committee on June 11, 2018, with amendments.



(Sponsorship Updated As Of: 6/22/2018)

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

3

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

6

7 1. ¹**[**It shall be an unlawful practice and a violation of
8 P.L.1960, c.39 (C.56:8-1 et seq.) for a] a. ¹A¹ person selling or
9 offering for sale goods or services at retail ¹**[to]** shall not¹ require a
10 buyer to pay using credit or to prohibit cash as payment in order to
11 purchase the goods or services. A person selling or offering for sale
12 goods or services at retail shall accept legal tender when offered by
13 the buyer as payment.

14 ¹b. 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
18 1999," P.L.1999, c.274 (C.2A:58-10 et seq.). The Superior Court
19 shall have jurisdiction of proceedings for the enforcement of the
20 penalty 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
23 purposes of this subsection shall be considered a first offense under
24 P.L.1960, c.39 (C.56:8-1 et seq.).

25 A fourth or subsequent violation of subsection a. of this section
26 is an unlawful practice under P.L.1960, c.39 (C.56:8-1 et seq.), and
27 for 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.}¹ As used in this section, "at retail" shall include any retail
30 transaction conducted in person and exclude any telephone, mail, or
31 Internet-based transaction.

32

33 2. This act shall take effect immediately.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACO committee amendments adopted June 11, 2018.