

HB0191/763228/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 191
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “**Transactions**” insert “for Essential Consumer Goods”; in line 4, strike the second “a” and substitute “an essential consumer”; in lines 4 and 5, in each instance, strike “or service”; in line 5, strike the first “a” and substitute “an essential consumer”; in line 6, strike “fee” and substitute “higher price than for an equivalent cashless transaction”; in the same line, strike the fourth “a” and substitute “an essential consumer”; in the same line, strike “or service” and substitute “, subject to certain exceptions”; and in line 9, after “transactions” insert “for essential consumer goods”.

AMENDMENT NO. 2

On page 2, in line 9, after “(A)” insert “(1)”; in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.”

(2) “CONSUMER GOODS” HAS THE MEANING STATED IN § 13-101 OF THIS ARTICLE.

(3) “ESSENTIAL CONSUMER GOOD” MEANS:

(i) FOOD, INCLUDING HUMAN AND ANIMAL FOOD;

(ii) WATER, INCLUDING ICE, AND OTHER BEVERAGES;

(iii) PERSONAL HYGIENE PRODUCTS, INCLUDING TOILETRIES AND CLEANING PRODUCTS;

(IV) HEALTH PRODUCTS, INCLUDING MEDICINE, MEDICAL SUPPLIES AND EQUIPMENT, AND PERSONAL PROTECTIVE EQUIPMENT; AND

(V) FUEL.

(4);

in the same line, strike “MERCHANT” and substitute “**MERCHANT**”; after line 10, insert:

“(5) “RETAIL ESTABLISHMENT” MEANS AN ESTABLISHMENT THAT SELLS CONSUMER GOODS TO THE PUBLIC.”;

in line 11, strike “RETAIL”; in line 12, after “TRANSACTION” insert “**AT A RETAIL ESTABLISHMENT**”; in the same line, strike “AT LEAST \$5 AND”; in line 14, strike the second “OR”; after line 14, insert:

“(II) A VENDING MACHINE OR KIOSK TRANSACTION; OR

(III) A TRANSACTION WITH A MERCHANT THAT SELLS TO THE PUBLIC PRIMARILY:

1. FOOD OR BEVERAGES FOR ON-PREMISES CONSUMPTION; OR

2. A LIMITED VARIETY OF GOURMET OR SPECIALTY FOODS, INCLUDING CHEESES, FRUITS, NUTS, CANDY, SPICES, AND OILS.”;

strike beginning with “(II)” in line 15 down through “SPACE” in line 17; in line 18, strike “A” and substitute “**EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION,**

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A"; in lines 20, 22, and 24, in each instance, strike "A" and substitute "AN ESSENTIAL CONSUMER"; in the same lines, in each instance, strike "OR SERVICE"; in line 23, after "PERSON" insert "A HIGHER PRICE THAN CHARGED OR COLLECTED FOR AN EQUIVALENT CASHLESS TRANSACTION, WHETHER OR NOT THE DIFFERENCE IN PRICE IS DESCRIBED AS"; in the same line, after "FEE" insert a comma; and after line 24, insert:

"(D) A MERCHANT MAY PROHIBIT A PERSON FROM MAKING A CASH PAYMENT FOR THE PURCHASE OF A CONSUMER GOOD:

(1) IN A CASH DENOMINATION GREATER THAN \$20; OR

(2) IF THE MERCHANT:

(i) PROVIDES AND MAINTAINS A DEVICE ON THE PREMISES OF THE ESTABLISHMENT THAT CONVERTS CASH INTO A PREPAID CARD THAT A PERSON MAY USE TO PURCHASE A CONSUMER GOOD AT THE ESTABLISHMENT;

(ii) DOES NOT CHARGE ANY FEE OR REQUIRE A DEPOSIT;
AND

(iii) IF THE DEVICE MALFUNCTIONS OR BECOMES INOPERABLE, ACCEPTS PAYMENT IN CASH IN ACCORDANCE WITH THIS SECTION UNTIL THE DEVICE RESUMES NORMAL OPERATIONS."

On page 3, in lines 1, 4, and 7, strike "(D)", "(E)", and "(E)", respectively, and substitute "(E)", "(F)", and "(F)", respectively; in line 15, strike "\$5,000" and substitute "\$500"; and in line 18, strike "\$10,000" and substitute "\$1,000".