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CONSUMER PROTECTION DIVISION**

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February 10, 2026

**TO:** The Honorable Kriselda Valderrama, Chair  
Economic Matters Committee

**FROM:** Steven M. Sakamoto-Wengel  
Executive Counsel to the Attorney General

**RE:** House Bill 191 – Consumer Protection – Retail Transactions – Cash  
Payments  
SUPPORT WITH AMENDMENTS

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The Consumer Protection Division supports House Bill 191, sponsored by Delegate Wims, which would require brick and mortar merchants to accept cash payments for in-person transactions up to \$300. However, the Division recommends an amendment to the bill deleting the minimum \$5 payment requirement, since many of the consumers who do not have access to bank accounts would need to pay cash for small purchases.

Requiring retailers to accept cash payments is a matter of equity. A 2023 survey by the Federal Deposit Insurance Corporation found that 4.2 percent of U.S. households, representing about 5.6 million households, were unbanked, meaning that nobody in the household had access to a checking or savings account at a bank or credit union.<sup>1</sup> Among the findings were that “between 2011—when the unbanked rate was at its highest level since the survey began in 2009—and 2023, the unbanked rate fell by almost half. Similarly, unbanked rates among Black, Hispanic, and American Indian or Alaska Native households fell by about half. However, unbanked rates among these households remained several times higher than the unbanked rate among White households”<sup>2</sup>

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<sup>1</sup> 2023 FDIC National Survey of Unbanked and Underbanked Households, viewed at <https://www.fdic.gov/household-survey>

<sup>2</sup> *Id.*

The survey further found that “As in previous years, among all unbanked households, “Don’t have enough money to meet minimum balance requirements” was the most cited main reason[.]<sup>3</sup>

Accordingly, while the Division understands retailers’ security concerns, we believe that those concerns are outweighed by the ability of unbanked consumers to be able to make purchases, especially given the limits on the amounts of cash transactions. For the reasons set forth, the Division requests that the Economic Matters Committee give House Bill 191 a favorable report with the amendment discussed.

cc: The Honorable Greg Wims  
Members, Economic Matters Committee

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<sup>3</sup> *Id.*