

### **3.30 HB 191- Consumer Protection - Retail Transact**

Uploaded by: Lonia Muckle

Position: FAV



## HB 191 - Consumer Protection - Retail Transactions - Cash Payments

Senate Finance Committee

April 1, 2026

SUPPORT

Chair Beidle, Vice-Chair, and members of the committee, thank you for the opportunity to submit testimony in support of HB 191. This bill requires certain businesses to accept cash as a form of payment and protects unbanked and underbanked consumers who are more likely to use cash.

The CASH Campaign of Maryland promotes economic advancement for low-to-moderate income individuals and families in Baltimore and across Maryland. CASH accomplishes its mission through operating a portfolio of direct service programs, building organizational and field capacity, and leading policy and advocacy initiatives to strengthen family economic stability. CASH and its partners across the state achieve this by providing free tax preparation services through the IRS program 'VITA', offering free financial education and coaching, and engaging in policy research and advocacy. **Almost 4,000 of CASH's tax preparation clients earn less than \$10,000 annually. More than half earn less than \$20,000.**

HB 191 requires certain businesses to accept cash as a form of payment, ensuring that unbanked and underbanked Marylanders are not excluded from accessing everyday goods and services. This bill is a necessary consumer protection that promotes equity, financial inclusion, and economic fairness for low-income individuals and families across the state.

Despite the growing use of electronic payments, cash remains a critical tool for millions of households. The 2023 FDIC National Survey of Unbanked and Underbanked Households reports that 5.6 million (4.2%) households in the U.S. are unbanked, or do not have a bank account.<sup>1</sup> In Maryland, this drops, only slightly, to 2.4%.<sup>1</sup> For this report and several previous reports, "Don't have enough money to meet minimum balance requirements" was the most common response when asked why people do not have a bank account.<sup>1</sup>

For unbanked individuals, navigating daily financial life is significantly more expensive. Fees accumulate at every turn: check-cashing fees to access wages, money order fees to pay rent or utilities, and higher costs or outright exclusion from credit, loans, and safe savings tools. Businesses that refuse cash payments ask low income customers to increase this burden by expecting them to pay additional fees for "pay-as-you-go" or similar cards just to be able to purchase goods or services.

Through our work with clients, CASH knows that people with an income lower than \$20,000 a year are more likely to have less access to traditional banking. Furthermore, the rates of unbanked are several times higher among Black and Brown households in comparison to their white counterparts.<sup>1</sup> An outright ban on cash discriminates against those without credit or bank accounts, likely those who are low-income, homeless, or undocumented.

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<sup>1</sup> FDIC. (2023). <https://www.fdic.gov/household-survey>



This bill protects consumers, promotes fairness, and helps ensure Maryland's economy works for everyone. A cashless payment can be one option among many, but it should never be the sole option.

**Thus, we encourage you to return a favorable report for HB 191.**

*Creating Assets, Savings and Hope*

# **HB191 - Cash Payment- testimony.pdf**

Uploaded by: Lynne Harris

Position: FAV



**Before the Senate Finance Committee  
HB191 – Retail Transactions – Cash Payment  
SUPPORT**

**Chair Beidle, Vice-chair Hayes and Members of the Senate Finance Committee –**

**On behalf of the Interfaith Works Board of Directors, I submit this testimony in strong support of HB191 - a Bill that would help hardworking individuals and families who – for a wide variety of reasons – need to pay cash for essential goods and services.**

**For the past 53 years, Interfaith Works has been serving Montgomery County residents experiencing homelessness and poverty. This includes working with 3,000 people a year who are living on the streets, staying in one of our four shelters, or living throughout the County with financial assistance and the ongoing support of our dedicated case managers. Over the past several years Interfaith Works’ focus has expanded to include workforce development, emergency financial assistance, and referral to healthcare and financial resources – all to ensure people remain stably housed, instead of losing their homes and requiring more extensive and resource-intensive services.**

**Given the work that we do, Interfaith Works is deeply troubled by the number of retail establishments who now refuse to take cash payments, or do so only when they also assess a penalty for the use of cash. The goal of HB191 is to infuse some kindness and common sense into retail transactions for essential goods – and allow those who are unbanked, underbanked, or otherwise unable to use electronic payment methods to use cash. Interfaith Works engages daily with community members who are struggling financially, and for a variety of reasons need to pay cash for the goods many of us take for granted – food, clothing, and personal hygiene products.**

**HB191 seeks to make sure that Marylanders can continue to pay cash for in-person purchases of essential goods. We are living in a time where the Federal government’s actions demonstrate an unprecedented level of disrespect and outright attack on Federal workers, people living at or below the poverty line, and the most vulnerable. Economic times are difficult, but the level of anxiety and fear is unprecedented. Life is very, very hard for the most vulnerable members of our communities – HB191 will make their lives a little less hard. On behalf of the Interfaith Works Board of Directors I respectfully urge the Senate Finance Committee to issue a favorable report on HB191.**

**Thank you for your consideration.  
Sincerely,**

**Lynne Harris  
Interfaith Works Board of Directors**



# **Testimony to Senate Finance on HB191 Cash payment**

Uploaded by: Marceline White

Position: FAV



**Testimony to Senate Finance**  
**HB191 Consumer Protection-Retail Transactions-Cash Payments**  
**Position: FWA**

April 1, 2026

The Honorable Pam Beidle, Chair  
Senate Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, Maryland 21401  
cc: Members, Senate Finance

Chair Beidle and Members of the Committee:

Economic Action Maryland Fund is here in support of HB191 with proposed amendments.

As amended, HB191 is a narrowly tailored bill that requires certain retail establishments to accept cash for essential goods. The bill provides exemptions for certain kinds of sales via the internet or kiosk, as well as for certain kinds of establishments. It also limits the amount of a cash transaction to no more than \$300.

As households struggle to cope with affordability challenges, this bill serves an important need.

In fact 22% of Maryland households are un-or-underbanked making them more reliant on cash than other households<sup>1</sup>. In the past few years inflation, high interest rates, and the rising cost of living created a perfect storm, leading to 32% of individuals maxing out their credit cards<sup>2</sup>. Taken together, it is clear that many Maryland households may need or prefer to use cash, thus avoiding high credit card interest rates.

Our concerns lie with two amendments in HB191.

- **On Page 3, STRIKE lines 13-14.** This amendment waives the requirement to accept cash for a cafe, restaurant, or juice/drink shop or similar establishment –a provision which undermines the intent of the bill. Surely, a hardworking person who primarily takes day jobs or odd jobs should be able to buy a drink or a sandwich with cash at a shop when their day ends.
- **On Pages 4-5, starting on page 4 STRIKE lines 26 -line 9 on page 5.** This section of HB191 would amend the ceiling for fines within the MDCPA. This is unnecessary because

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<sup>1</sup> [Bankonmaryland](https://www.bankofamerica.com/banking/ordinary-americans-are-feeling-the-strain-of-record-high-us-credit-card-debt/)

<sup>2</sup><https://www.bankofamerica.com/banking/ordinary-americans-are-feeling-the-strain-of-record-high-us-credit-card-debt/>

*Economic Action (formerly the Maryland Consumer Rights Coalition) champions economic rights and housing justice through advocacy, research, consumer education, and direct service. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.*



under § 13-410 the civil penalty for a first violation is **not to exceed \$10,000**, and is **not to exceed \$25,000** for a second violation. Moreover, the statute includes a series of considerations that the OAG must undertake when setting a fine including; (1) The severity of the violation for which the penalty is assessed;

- (2) The good faith of the violator;
- (3) Any history of prior violations;
- (4) Whether the amount of the penalty will achieve the desired deterrent purpose; and
- (5) Whether the issuance of a cease and desist order, including restitution, is insufficient for the protection of consumers.

Therefore, there is no reason to cap the violations because the MDCPA already contains a ceiling and a series of considerations for setting the appropriate fine. To alter the fines available creates a slippery slope and undermines the integrity of the MDCPA which many members of this committee supported when fines were increased after the financial crisis.

We support this legislation and urge you to amend the bill as proposed above.

Best,

Marceline White  
Executive Director

*Economic Action (formerly the Maryland Consumer Rights Coalition) champions economic rights and housing justice through advocacy, research, consumer education, and direct service. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.*

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Marceline White · [Marceline@EconAction.org](mailto:Marceline@EconAction.org) | Jennifer Bevan-Dangel · [Jennifer@EconAction.org](mailto:Jennifer@EconAction.org)

# **HB 191 Consumer Protection - Retail Transactions -**

Uploaded by: Sara Westrick

Position: FAV



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**HB 191 – Consumer Protection - Retail Transactions - Cash Payments**  
**Senate Finance Committee**  
**April 1, 2026**  
**FAVORABLE**

Good afternoon, Chair Beidle, Vice Chair Hayes, and members of the Senate Finance Committee. My name is Sara Westrick, Advocacy Director for AARP Maryland. Thank you for the opportunity to testify in strong support of HB 191, legislation that protects Maryland consumers, especially older adults, by ensuring they can continue to use cash for everyday purchases. We thank Delegate Wims for sponsoring this important legislation.

AARP is the largest nonprofit, nonpartisan organization representing the interests of Americans age 50 and older and their families. Key priorities of our organization include helping all Marylanders achieve financial and health security, as well as supporting a safety net for older adults and low-income households in Maryland.

**Why HB 191 Matters for Older Marylanders**

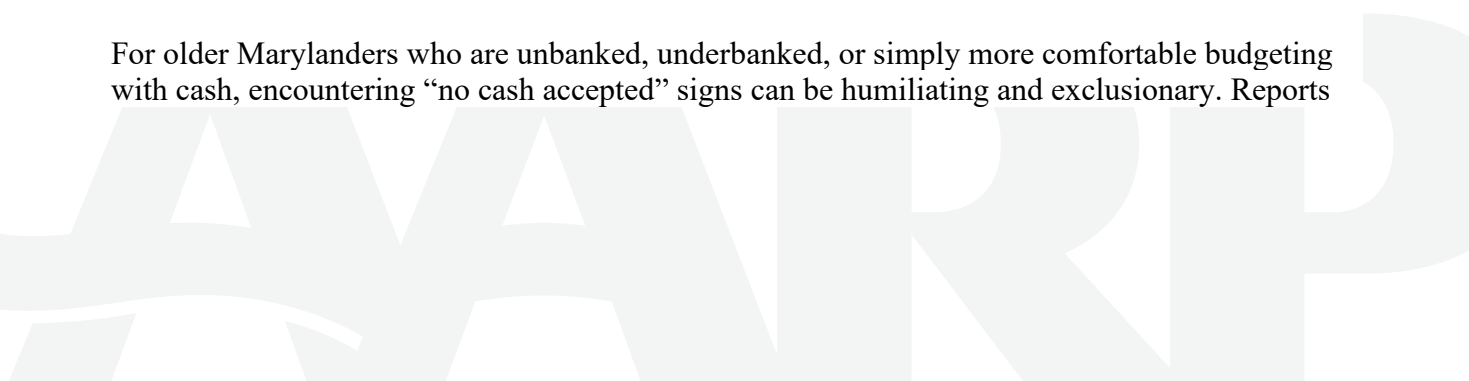
While digital payments have expanded rapidly, cash remains essential for a significant portion of Maryland's older population. Many older adults rely on cash not simply by preference, but because of structural and technological barriers that make digital-only payment systems out of reach.

Older adults are disproportionately dependent on cash, and many older adults face barriers to digital systems. AARP national analysis of consumers age 45 and older shows that many are unbanked or underbanked, meaning they lack full access to credit cards, online banking, and digital payment tools. In addition, older adults with low incomes are much less likely to use traditional financial services, increasing their reliance on cash for daily transactions.

These findings underscore that for many older Marylanders, the option to use cash is not merely a convenience but a necessity.

Older adults also remain at increased risk of financial scams and digital fraud, and many are uncomfortable disclosing personal financial information during online or card-based transactions. AARP research has shown that limited technological comfort and security concerns push many older adults toward cash and other non-digital payment methods as safer alternatives.

For older Marylanders who are unbanked, underbanked, or simply more comfortable budgeting with cash, encountering "no cash accepted" signs can be humiliating and exclusionary. Reports



from constituents reflect instances where older adults were unable to complete purchases of groceries, pharmacy items, and other personal care items.

HB 191 protects consumers by restoring the principle that lawful U.S. currency can buy the things you need. This bill requires merchants to accept cash for in-person retail transactions of \$5 to \$300 and prohibits cash-related fees.

This is a reasonable, balanced approach that supports both consumer dignity and business clarity. As Maryland's economy becomes increasingly digital, we must ensure that older adults are not left behind due to technological barriers. Cashless policies are not innovative when they result in exclusion.

For these reasons, and especially to protect the independence and economic inclusion of older Marylanders, we respectfully urge a favorable report on HB 191.

If you have any questions, please contact Sara Westrick at [swestrick@aarp.org](mailto:swestrick@aarp.org) or by calling 410-310-0374.

# **HB 191 -- Senate Finance Committee.pdf**

Uploaded by: William Steinwedel

Position: FAV



**House Bill 191 – Consumer Protection – Retail Transactions – Cash  
Payments  
Hearing on April 1, 2026 – Senate Finance Committee  
Position: FAVORABLE**

*Maryland Legal Aid (MLA) submits its written and oral testimony on HB 191 in response to a request from Delegate Greg Wims.*

Maryland Legal Aid (MLA) appreciates the opportunity to testify in support of this vital legislation. We are the state’s largest nonprofit law firm, representing thousands of low-income Marylanders every year in civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law, housing, and employment. Because HB 191 prohibits retailers from refusing to accept cash or from charging fees for accepting cash for in-person retail transactions for less than \$300, MLA testifies in strong support of this bill.

At MLA we see that many of our clients use cash for small purchases. Over 80% of those households making less than \$75,000.00 a year in 2024 reported using cash to make purchases in 2024, and the average amount spent to make those cash purchases was \$253<sup>1</sup>. If retailers and merchants are permitted to begin to add fees to process these cash payments, this could add even more additional costs to low-income Marylanders, who are already disproportionately harmed by other fees such as bank overdraft fees<sup>2</sup>.

One example of this is several years ago, MLA represented a client in a Chapter 13 bankruptcy. This client was living on her own making less than \$700 per month. Her home went into foreclosure because her son, who was assisting her, died while serving in the military in Iraq. Despite her economic shortcomings, she was able to make her Trustee payment of less than \$300 for several years<sup>3</sup>. However, all she had was cash, and MLA had to assist this client in going to the bank or to a convenience store every month to convert these cash payments into money orders that she could send to her mortgage company and to the Trustee. If HB 191 did not pass, low-income, elderly citizens such as this woman in the future may have to go through this arduous process for everything that they have to buy. HB 191 would make sure that this would never happen in Maryland.

Because this bill would protect MLA’s clients ability to use cash for small purchases, MLA gives strong support to HB 191. If you need additional information regarding this bill, please

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<sup>1</sup> <https://www.atlantafed.org/banking-and-payments/consumer-payments/survey-and-diary-of-consumer-payment-choice/2024-survey-and-diary#Tab2>.

<sup>2</sup> <https://www.nclc.org/congress-move-to-overturn-overdraft-fee-rule-would-block-relief-for-families-living-paycheck-to-paycheck/>

<sup>3</sup> She did not have a mortgage payment because she had a home equity conversion (HECM) mortgage.

contact William Steinwedel or Anthony Davis at [wsteinwedel@mdlab.org](mailto:wsteinwedel@mdlab.org), [adavis@mdlab.org](mailto:adavis@mdlab.org) and (410) 951-7643.

# **HB0191\_Amendment\_753426**

Uploaded by: Delegate Wims

Position: FWA



**HB0191/753426/1**

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

01 APR 26  
09:38:28

BY: Delegate Wims  
(To be offered in the Finance Committee)

AMENDMENT TO HOUSE BILL 191  
(Third Reading File Bill)

On page 3, in line 10, strike the second "OR"; and in line 16, after "OILS" insert ";  
OR

(IV) THE PURCHASE OF FUEL FROM A MERCHANT THAT  
SELLS FUEL TO THE PUBLIC BUT REQUIRES A PAID MEMBERSHIP TO PURCHASE  
THE FUEL".

**HB 191 - CPD - Letter of Concern (Finance).pdf**

Uploaded by: Steve Sakamoto-Wengel

Position: INFO



**CAROLYN A. QUATTROCKI**  
*Chief Deputy Attorney General*

**LEONARD J. HOWIE III**  
*Deputy Attorney General*

**CARRIE J. WILLIAMS**  
*Deputy Attorney General*

**SHARON S. MERRIWEATHER**  
*Deputy Attorney General*

**ZENITA WICKHAM HURLEY**  
*Deputy Attorney General*

**WILLIAM D. GRUHN**  
*Division Chief*

**STEVEN M. SAKAMOTO-WENGEL**  
*Executive Counsel to the  
Attorney General*

**PETER V. BERNS**  
*General Counsel*

**CHRISTIAN E. BARRERA**  
*Chief Of Staff*

**STATE OF MARYLAND  
OFFICE OF THE ATTORNEY GENERAL  
CONSUMER PROTECTION DIVISION**

**ANTHONY G. BROWN**  
*Attorney General*

April 1, 2026

**TO:** The Honorable Pamela Beidle, Chair  
Finance Committee

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

**RE:** House Bill 191 – Consumer Protection – Retail Transactions for Essential  
Consumer Goods – Cash Payments  
LETTER OF CONCERN

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The Consumer Protection Division has significant concerns about the enforcement provisions of House Bill 191 as amended in the House, sponsored by Delegate Wims, which would require brick and mortar merchants to accept cash payments for in-person transactions for “essential consumer goods: up to \$300. While the Division supports HB 191’s goal of making sure that unbanked consumers are able to make purchases of essential goods, the amendments providing merchants with two free bites of the apple before the Division can enforce the statute and capping civil penalties thereafter at \$500 for a first violation and \$1,000 for a subsequent violation ensure that there will be no enforcement of the law.

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

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

these households remained several times higher than the unbanked rate among White households<sup>2</sup> 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>

However, the right-to-cure requirements and reduced penalties would undermine the two core goals of any enforcement action: stopping practices that harm Maryland consumers and obtaining restitution for those already harmed. The right-to-cure requirement is particularly unwarranted here because refusing to accept cash is not an ambiguous or technical violation. A retailer either accepts cash or it does not. There is no algorithm to untangle, no data system to analyze, no question about whether the conduct occurred. A business that turns away an unbanked consumer has made a conscious, observable choice. Treating that choice as though it might be a misunderstanding, requiring the Division to provide notice and an opportunity to correct before any enforcement can begin, is not a reasonable accommodation. It is a structural disincentive to comply with the law at all. A retailer that knows the only consequence of a first offense is being told to stop has no reason to comply before getting caught.

The right-to-cure requirement also misunderstands what enforcement costs, even for violations that are straightforward to identify. The Division does not send notices of violation casually. A notice to a retailer that it may have violated Maryland law is a serious matter. Even where the underlying conduct is clear, attorneys must evaluate the complaint, assess whether it falls within the statute, and make a considered judgment before any formal action is taken. Those steps require time and staff resources regardless of how obvious the violation appears. Requiring the Division to then provide notice and wait before proceeding means absorbing that cost twice, with no guarantee of recovery for the State and no restitution for the consumer who was turned away.

The same analysis also applies to the reduced penalties for violations. The current penalties under § 13-410(a) and (b) of the Consumer Protection Act are *not exceeding* \$10,000 for a first violation and *not exceeding* \$25,000 for a subsequent violation. Section 13-410(d) sets forth the factors that the Consumer Protection Division must consider in determining the amount of the penalty, including severity of the violation, good faith of the violator, and any history of any prior violations. Application of those factors rarely, if ever, results in a civil penalty near the caps. Enacting the type of cap that is provided in this bill would not deter intentional misconduct and, in any case, make it unlikely that the Division would use its limited resources to bring an enforcement action related to a violation of this bill.

That matters in the current budget environment. The Consumer Protection Division has 13 attorneys and 5 investigators handling approximately 140 active matters at any given time. Every investigation is a choice about where to direct limited staff capacity. When my office receives a complaint, we first seek resolution through mediation. We pursue formal enforcement only when a business has engaged in a pattern or practice of violations affecting a significant

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

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

number of consumers or causing serious harm. But those are precisely the cases the right-to-cure is most likely to obstruct. The more systematic the violation, the more the right-to-cure benefits the violator. The Office bears the full cost of investigation, and the business avoids all accountability simply by agreeing to stop what it should never have done in the first place.

Accordingly, the Division requests that the Finance Committee strike the right to cure and reduced civil penalty provisions when it considers House Bill 191.

cc: The Honorable Greg Wims  
Members, Finance Committee