

1 AN ACT relating to acceptance of cash by public and private businesses and
2 government agencies.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 365 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) A person who sells goods or services at any public or private business from a*
7 *physical location shall not require the use of credit by a buyer or refuse to accept*
8 *cash from a buyer in exchange for those goods or services during a face-to-face*
9 *sale.*

10 *(2) A government agency as defined in KRS 309.430, that collects fees for licenses,*
11 *certificates, and other services shall not require the use of credit by a person or*
12 *refuse to accept cash from a person to pay the required fee during a face-to-face*
13 *transaction.*

14 ➔Section 2. KRS 365.990 is amended to read as follows:

15 (1) Any person who violates any of the provisions of KRS 365.015 shall be fined not
16 less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100), or
17 imprisoned for not less than ten (10) days nor more than thirty (30) days, or both,
18 and each day that the violation continues shall constitute a separate offense.

19 (2) Any person who violates any of the provisions of KRS 365.020 to 365.050 shall,
20 for each offense, be fined not less than one hundred dollars (\$100) nor more than
21 one thousand dollars (\$1,000), or imprisoned for not more than six (6) months, or
22 both. Any person who, as agent of any person or as director, officer, or agent of any
23 corporation assists or aids in a violation of any of such provisions by the person or
24 corporation for which he *or she* is director, officer, or agent, shall be responsible
25 therefor equally with such person or corporation, and, in a prosecution brought by
26 the local Commonwealth's attorney against him *or her* under this subsection, it shall
27 be sufficient to allege and prove the unlawful intent of the person or corporation for

- 1 whom he or she acts.
- 2 (3) Any person who violates any of the provisions of KRS 365.100 or Section 1 of this
3 Act shall be fined not less than two hundred dollars (\$200) for each offense.
- 4 (4) Any person who violates any of the provisions of KRS 365.110 shall be fined not
5 less than ten dollars (\$10) nor more than fifty dollars (\$50) for each offense.
- 6 (5) Any agent or employee of a corporation or any other person who violates any of the
7 provisions of subsection (2) of KRS 365.220 shall be fined not less than one
8 hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each
9 offense, and each day's continuance of the violation shall constitute a separate
10 offense.
- 11 (6) A conviction of a corporation of violating any of the provisions of KRS 365.210 or
12 365.220 shall operate to forfeit its charter or right to do business in this state.
13 Proceedings may be instituted by the Commonwealth's attorney in any district in
14 this state to forfeit the charter or right to do business in this state of any corporation
15 violating any of the provisions of KRS 365.210 or 365.220, and to subject the
16 corporation charged, if found guilty, to the penalty imposed in subsection (7) of this
17 section.
- 18 (7) Any company that violates any of the provisions of KRS 365.230 shall be fined not
19 less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000),
20 and if it is a corporation it shall, upon conviction, forfeit its charter.
- 21 (8) Any person or entity that transacts a transient business as defined in KRS 365.650
22 without first having obtained a permit in accordance with the provisions of KRS
23 365.660, 365.665, 365.680 or 365.685 or who knowingly advertises, offers for sale,
24 or sells any goods, wares, or merchandise in violation of the provisions of KRS
25 365.650 to 365.695, is guilty of a misdemeanor and shall, upon conviction, be fined
26 not more than five hundred dollars (\$500) or shall be imprisoned in the county jail
27 for not more than six (6) months, or both.