

## 2025 South Dakota Legislature

**House Bill 1048****AMENDMENT 1048E  
FOR THE INTRODUCED BILL**

1 **An Act to require that cash be accepted for certain transactions.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That a NEW SECTION be added to chapter 37-24:**

4 Except as provided in section 2 of this Act, a person must accept cash as a form of  
5 payment for any goods or services sold to a consumer if:

6 (1) The sale and payment for the goods or services occurs in person;

7 (2) The person selling the goods or services, or an individual employed by the person  
8 selling the goods or services, is physically present at the time of the sale to accept  
9 a cash payment; ~~and~~

10 (3) The purchaser of the goods or services chooses to pay the purchase price using  
11 cash; ~~and~~

12 (4) ~~The payment is no greater than one hundred dollars.~~

13 For purposes of this section, "cash" means physical coin, currency, or note that is  
14 designed as legal tender by federal law.

15 **Section 2. That a NEW SECTION be added to chapter 37-24:**

16 The provisions of section 1 of this Act do not apply to:

17 (1) Financial institutions, as defined in § 10-43-1;

18 (2) The sale of goods or services that require a credit card for purposes of placing a  
19 security deposit or covering unforeseen damages or expenses; ~~or~~

20 (3) The sale of, or payment for, goods or services occurring on an airplane;

21 (4) ~~Federally chartered credit unions; or~~

22 (5) ~~A transaction for a rental agreement of a rental car, as defined by § 58-30-197.~~

23 **Section 3. That a NEW SECTION be added to chapter 37-24:**

1           The state and its political subdivisions must accept cash as a form of payment for  
2           any fee or charge imposed on any member of the public if:

3           (1) The payment is submitted in person;~~and~~

4           (2) The member of the public chooses to submit payment in the form of cash; ~~and~~

5           (3) The payment is no greater than one hundred dollars.

6           For purposes of this section, "cash" means physical coin, currency, or note that is  
7           designed as legal tender by federal law.

8           **Section 4. That a NEW SECTION be added to chapter 37-24:**

9           A person who violates the provisions of sections 1 or 3 of this Act is subject to a  
10          civil penalty, not to exceed fifty dollars per violation, imposed by the attorney general.

11          The attorney general shall forward any civil penalty collected under this section to  
12          the state treasurer for deposit in the general fund.