



## 2026 South Dakota Legislature

# House Bill 1061

Introduced by: **Representative Sjaarda**

1 **An Act to require the acceptance of cash as payment in 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 at retail to a purchaser provided:

- 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;
- 9       (3) The purchaser of the goods or services chooses to pay the purchase price using  
10       cash; and
- 11       (4) The consideration received by the person selling the goods or services in the  
12       transaction is one hundred dollars or less.

13       A person selling goods or services may not charge a consumer a higher price for  
14       the use of cash as a form of payment.

15       For purposes of this section, "cash" means physical coin, currency, or notes that  
16       are designated as legal tender by federal law.

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

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

- 19       (1) Federally chartered credit unions;
- 20       (2) Financial institutions, as defined in § 10-43-1;
- 21       (3) The sale of goods or services that require a credit card for purposes of placing a  
22       security deposit or covering unforeseen damages or expenses; or
- 23       (4) The sale of, or payment for, goods or services occurring on an airplane.

24 **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 to the correct office in person;  
4           (2) The member of the public chooses to submit payment in the form of cash; and  
5           (3) The total payment received by the state or political subdivision is one hundred  
6           dollars or less.

7           The state and its political subdivisions may not impose a higher fee or charge upon  
8           any member of the public for the use of cash as a form of payment.

9           For purposes of this section, "cash" means physical coin, currency, or notes that  
10          are designed as legal tender by federal law.