

2026 South Dakota Legislature

House Bill 1061**AMENDMENT 1061A
FOR THE INTRODUCED BILL**

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, ~~at least at~~
5 ~~one point-of-sale,~~ as a form of payment for any goods or services sold at retail to a
6 purchaser provided:

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

8 (2) The person selling the goods or services, or an individual employed by the person
9 selling the goods or services, is physically present at the time of the sale;

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

12 (4) The ~~consideration~~ ~~total payment~~ received by the person selling the goods or
13 services in the transaction is one hundred dollars or less.

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

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

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

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

20 (1) Federally chartered credit unions;

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

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

24 (4) The sale of, or payment for, goods or services occurring on an airplane; ~~or~~

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

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

2 The state ~~and~~, its political subdivisions, ~~and any private person or business acting~~
3 as an agent of the state or a political subdivision, must accept cash as a form of payment
4 for any fee or charge imposed on any member of the public if:

5 (1) The payment is submitted to the correct office in person;

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

7 (3) The total payment received by the state or political subdivision is one hundred
8 dollars or less.

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

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