

2026 South Dakota Legislature

House Bill 1061**AMENDMENT 1061B
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 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.

11 **Section 4.** This Act is effective beginning July 1, 2027.