

Requested by Representative NOBLE

**PROPOSED MINORITY REPORT AMENDMENTS TO  
HOUSE BILL 4107**

1 On page 1 of the printed bill, line 2, after “provisions;” insert “and”.

2 Delete lines 8 through 23.

3 On page 2, delete lines 1 through 24 and insert:

4 **“SECTION 1. (1) Except as provided in subsection (2) of this section,**  
5 **it is an unlawful practice for a place of public accommodation offering**  
6 **goods or services, or any person acting on behalf of such place, to:**

7 **“(a) Refuse to accept from a customer or patron United States coins**  
8 **and currency, including federal reserve bank notes and circulating**  
9 **notes of federal reserve banks and national banks, as payment for**  
10 **goods and services.**

11 **“(b) Make any distinction, discrimination or restriction because a**  
12 **customer or patron offers United States coins and currency, including**  
13 **federal reserve bank notes and circulating notes of federal reserve**  
14 **banks and national banks, as payment for goods and services.**

15 **“(2) Notwithstanding subsection (1) of this section, a place of public**  
16 **accommodation, or any person acting on behalf of such place, may**  
17 **refuse to accept as payment for goods and services:**

18 **“(a) United States coins, in any combination, in an amount equal**  
19 **to or greater than \$100; or**

20 **“(b) United States currency in denominations of \$50 or \$100.**

21 **“(3) This section does not apply to:**

1       “(a) Transactions for goods or services involving a place or service  
2 offering goods, services, transient lodging or transportation, when the  
3 transaction or a portion of the transaction requires a customer or  
4 patron to deposit moneys or sign an agreement to rent or lease con-  
5 sumer goods;

6       “(b) Any establishment that is owned by or operated under the  
7 control of the United States Government or an agency of the United  
8 States;

9       “(c) Retail transactions that occur entirely over the telephone or  
10 by mail;

11       “(d) Internet-based transactions;

12       “(e) A filling station, service station, garage or other dispensary  
13 where Class 1 flammable liquids are dispensed, during the hours in  
14 which an owner, operator or other employee is not present to dispense  
15 the liquids;

16       “(f) Electric vehicle charging stations;

17       “(g) Transactions that occur in a micro market, including pur-  
18 chases from a vending machine;

19       “(h) Purchases from a vending machine unless the vending machine  
20 is located within a concentration or cluster of more than eight vending  
21 machines that do not accept coins or currency as payment for pur-  
22 chases;

23       “(i) Transactions involving the sale of products for which a license  
24 is required by ORS 744.053; or

25       “(j) A place of public accommodation that provides hospital or  
26 medical services and that bills or invoices a person after such services  
27 are rendered, provided that the place of public accommodation accepts  
28 coins and currency as payment for the bill or invoice by mail or at a  
29 designated location other than the location where the services are  
30 rendered.

1       **“(4) Nothing in this section may be construed to prohibit, restrict,**  
2 **or otherwise interfere with the ability of a place of public accommo-**  
3 **dation to:**

4       **“(a) Accept, in addition to the forms of payment described under**  
5 **subsection (1) of this section, as payment for goods or services, any**  
6 **other form of payment provided that such payment is not prohibited**  
7 **under federal or state law;**

8       **“(b) After services are rendered, invoice or bill a customer or pa-**  
9 **tron, or submit a claim to a third party to receive payment for the**  
10 **services; or**

11       **“(c) Offer a customer or patron an incentive for paying for goods**  
12 **or services in coin or currency.**

13       **“(5) A person who alleges a violation of subsection (1) of this section**  
14 **may file a complaint with the Commissioner of the Bureau of Labor**  
15 **and Industries in the manner provided by ORS 659A.820.**

16       **“(6) As used in this section:**

17       **“(a) ‘Class I flammable liquids’ has the meaning given that term in**  
18 **ORS 480.310.**

19       **“(b) ‘Consumer goods’ has the meaning given that term in ORS**  
20 **79.0102.**

21       **“(c)(A) ‘Internet-based transaction’ means a transaction that oc-**  
22 **curs over the Internet and that involves a sale, purchase or reserva-**  
23 **tion of or deposit for goods or services to be picked up by, delivered**  
24 **to or consumed by a customer or patron.**

25       **“(B) ‘Internet-based transaction’ does not mean an in-person**  
26 **transaction.**

27       **“(d) ‘Micro market’ means an unattended retail establishment to**  
28 **which access by the general public is restricted that offers whole or**  
29 **fresh-cut fruit and vegetables, packaged foods or beverages for pur-**  
30 **chase through an automated payment processing system.**

1       “(e) ‘Place of public accommodation’ has the meaning given that  
2 term in ORS 659A.400.

3       “(f) ‘Transient lodging’ has the meaning given that term in ORS  
4 699.005.

5       “(g) ‘Vending machine’ has the meaning given that term in ORS  
6 624.310.

7       “**SECTION 1a.** Section 1 of this 2020 Act is amended to read:

8       “**Sec. 1.** (1) Except as provided in subsection (2) of this section, it is an  
9 unlawful practice for a place of public accommodation offering goods or  
10 services, or any person acting on behalf of such place, to:

11       “(a) Refuse to accept from a customer or patron United States coins and  
12 currency, including federal reserve bank notes and circulating notes of fed-  
13 eral reserve banks and national banks, as payment for goods and services.

14       “(b) Make any distinction, discrimination or restriction because a cus-  
15 tomer or patron offers United States coins and currency, including federal  
16 reserve bank notes and circulating notes of federal reserve banks and na-  
17 tional banks, as payment for goods and services.

18       “(2) Notwithstanding subsection (1) of this section, a place of public ac-  
19 commodation, or any person acting on behalf of such place, may refuse to  
20 accept as payment for goods and services:

21       “(a) United States coins, in any combination, in an amount equal to or  
22 greater than \$100; or

23       “(b) United States currency in denominations of \$50 or \$100.

24       “(3) This section does not apply to:

25       “(a) Transactions for goods or services involving a place or service of-  
26 fering goods, services, transient lodging or transportation, when the trans-  
27 action or a portion of the transaction requires a customer or patron to  
28 deposit moneys or sign an agreement to rent or lease consumer goods;

29       “(b) Any establishment that is owned by or operated under the control  
30 of the United States Government or an agency of the United States;

1 “(c) Retail transactions that occur entirely over the telephone or by mail;

2 “(d) Internet-based transactions;

3 “(e) A filling station, service station, garage or other dispensary where  
4 Class 1 flammable liquids are dispensed, during the hours in which an owner,  
5 operator or other employee is not present to dispense the liquids;

6 “(f) Electric vehicle charging stations;

7 “(g) Transactions that occur in a micro market, including purchases from  
8 a vending machine;

9 “(h) Purchases from a vending machine unless the vending machine is  
10 located within a concentration or cluster of more than eight vending ma-  
11 chines that do not accept coins or currency as payment for purchases;

12 “(i) Transactions involving the sale of products for which a license is  
13 required by ORS 744.053; or

14 “(j) A place of public accommodation that provides hospital or medical  
15 services and that bills or invoices a person after such services are rendered,  
16 provided that the place of public accommodation accepts coins and currency  
17 as payment for the bill or invoice by mail or at a designated location other  
18 than the location where the services are rendered.

19 “(4) Nothing in this section may be construed to prohibit, restrict, or  
20 otherwise interfere with the ability of a place of public accommodation to:

21 “(a) Accept, in addition to the forms of payment described under sub-  
22 section (1) of this section, as payment for goods or services, any other form  
23 of payment provided that such payment is not prohibited under federal or  
24 state law;

25 “(b) After services are rendered, invoice or bill a customer or patron, or  
26 submit a claim to a third party to receive payment for the services; or

27 “(c) Offer a customer or patron an incentive for paying for goods or ser-  
28 vices in coin or currency.

29 “(5) A person who alleges a violation of subsection (1) of this section  
30 **may bring a civil action under ORS 659A.885 or** may file a complaint with

1 the Commissioner of the Bureau of Labor and Industries in the manner pro-  
2 vided by ORS 659A.820.

3 “(6) As used in this section:

4 “(a) ‘Class I flammable liquids’ has the meaning given that term in ORS  
5 480.310.

6 “(b) ‘Consumer goods’ has the meaning given that term in ORS 79.0102.

7 “(c)(A) ‘Internet-based transaction’ means a transaction that occurs over  
8 the Internet and that involves a sale, purchase or reservation of or deposit  
9 for goods or services to be picked up by, delivered to or consumed by a cus-  
10 tomer or patron.

11 “(B) ‘Internet-based transaction’ does not mean an in-person transaction.

12 “(d) ‘Micro market’ means an unattended retail establishment to which  
13 access by the general public is restricted that offers whole or fresh-cut fruit  
14 and vegetables, packaged foods or beverages for purchase through an auto-  
15 mated payment processing system.

16 “(e) ‘Place of public accommodation’ has the meaning given that term in  
17 ORS 659A.400.

18 “(f) ‘Transient lodging’ has the meaning given that term in ORS 699.005.

19 “(g) ‘Vending machine’ has the meaning given that term in ORS  
20 624.310.”.

21 On page 4, line 7, after “class” insert a period and delete the rest of the  
22 line and line 8.

23 On page 17, after line 37, insert:

24 **“SECTION 11. (1) Section 1 of this 2020 Act becomes operative on  
25 July 1, 2021.**

26 **“(2) The amendments to section 1 of this 2020 Act and ORS 659A.885  
27 by sections 1a and 6 to 10 of this 2020 Act become operative on January  
28 1, 2022.**

29 **“(3) The Commissioner of the Bureau of Labor and Industries may  
30 adopt rules and take any action before the operative dates specified in**

1 **subsections (1) and (2) of this section that is necessary for the com-**  
2 **missioner to exercise, on or after the operative dates specified in sub-**  
3 **sections (1) and (2) of this section, all the duties, functions and powers**  
4 **conferred on the commissioner by section 1 of this 2020 Act and the**  
5 **amendments to section 1 of this 2020 Act and ORS 659A.885 by sections**  
6 **1a and 6 to 10 of this 2020 Act.”.**

7 In line 38, delete “11” and insert “12”.

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