

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
MINORITY REPORT A-ENGROSSED HOUSE BILL 4107**

1 On page 2 of the printed minority report A-engrossed bill, line 23, delete
2 “or”.

3 In line 27, delete the period and insert “; or
4 “(k) Any regional office of the Department of Revenue.”.

5 On page 3, delete lines 6 through 45.

6 On page 4, delete lines 1 through 22 and insert:

7 “(f) ‘Regional office’ means an office of the Department of Revenue other
8 than a central office or headquarters building located in Salem.

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

10 “(h) ‘Vending machine’ has the meaning given that term in ORS 624.310.

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

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

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

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

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

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

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

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

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

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

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

15 “(d) Internet-based transactions;

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

19 “(f) Electric vehicle charging stations;

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

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

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

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

1 than the location where the services are rendered; or

2 “(k) Any regional office of the Department of Revenue.

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

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

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

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

13 “(5) A person who alleges a violation of subsection (1) of this section
14 **may bring a civil action under ORS 659A.885 or** may file a complaint with
15 the Commissioner of the Bureau of Labor and Industries in the manner pro-
16 vided by ORS 659A.820.

17 “(6) As used in this section:

18 “(a) ‘Class 1 flammable liquids’ has the meaning given that term in ORS
19 480.310.

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

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

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

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

30 “(e) ‘Place of public accommodation’ has the meaning given that term in

1 ORS 659A.400.

2 “(f) ‘Regional office’ means an office of the Department of Revenue other
3 than a central office or headquarters building located in Salem.

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

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

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