

The House Committee on Banks and Banking offers the following substitute to HB 1112:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling
2 and other trade practices, so as to provide for rounding of total price of the sale of goods or
3 services when using legal tender; to provide for tax exemptions; to provide for certain
4 immunities; to provide for definitions; to provide for related matters; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other
9 trade practices, is amended by adding a new article to read as follows:

10 "ARTICLE 38

11 10-1-970.

12 As used in this article, the term:

13 (1) 'Legal tender' means all coins and currencies of the United States.

14 (2) 'Merchant' means any person engaged in the business of selling goods or services
15 engaging in in-person, face-to-face sales.

16 10-1-971.

17 (a) Notwithstanding any law to the contrary, any merchant in this state shall determine the
18 price of goods and services in the following manner for purchases using legal tender:

19 (1) The prices of the goods and services shall be totaled, including sales tax and any
20 other applicable tax; and

21 (2) If one cent, two cents, six cents, or seven cents is at the end of the resulting total,
22 such total shall be rounded down to the nearest five cents. If three cents, four cents, eight
23 cents, or nine cents is at the end of the resulting total, such total shall be rounded up to
24 the nearest five cents. Such rounding adjustment shall not be interpreted as impacting the
25 sales price of the purchase pursuant to Code Section 48-8-2 or the calculation of any
26 other tax.

27 (b) The provisions of this Code section shall not apply to transactions for which the total
28 amount is one or two cents, where such total shall be rounded up to five cents, or
29 transactions where payment is made by any demand or negotiable instrument, electronic
30 funds transfer, money order, credit card, debit card, gift card, electronic payment, other like
31 instrument, or mixed tender, unless cash is disbursed to the purchaser.

32 (c) Rounding to the nearest five cents may apply to the amount of the transaction or to the
33 amount of change tendered to the purchaser.

34 (d) No tax imposed by this state or any local governing authority shall apply to losses or
35 gains resulting from rounding pursuant to this Code section.

36 (e) Any merchant selling goods or services shall not be in violation of any requirements,
37 laws, regulations, or standards of a state, county, municipality, consolidated government,
38 or political subdivision of this state based on any action taken in compliance with this Code
39 section."

40

SECTION 2.

41 All laws and parts of laws in conflict with this Act are repealed.