

House Bill 1112 (RULES COMMITTEE SUBSTITUTE)

By: Representatives Barrett of the 24<sup>th</sup>, Martin of the 49<sup>th</sup>, Cox of the 28<sup>th</sup>, Blackmon of the 146<sup>th</sup>, Smith of the 138<sup>th</sup>, and others

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 payment in exact change when using legal  
4 tender; to provide for tax exemptions; to provide for certain immunities; to provide for  
5 definitions; to provide for related matters; to repeal conflicting 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, three cents, four cents, six cents, seven cents, eight cents, or  
22 nine cents is at the end of the resulting total, such total shall be rounded down to the  
23 nearest five cents. Such rounding adjustment shall not be interpreted as impacting the  
24 sales price of the purchase pursuant to Code Section 48-8-2 or the calculation of any  
25 other tax.

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

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

33 (d) While the one-cent piece of the United States remains legal tender, any merchant shall  
34 accept exact payment in legal tender for the total amount due computed prior to any  
35 rounding.

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

38 (f) Any merchant selling goods or services shall not be in violation of any requirements,  
39 laws, regulations, or standards of a state, county, municipality, consolidated government,

40 or political subdivision of this state based on any action taken in compliance with this Code  
41 section."

42 **SECTION 2.**

43 All laws and parts of laws in conflict with this Act are repealed.