

SENATE BILL 661

By Niceley

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 47 and Title 48, relative to services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 50, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Entity":

(A) Means a business or individual that provides services to a consumer, including parking services; and

(B) Does not include a business or individual that sells a good or other merchandise that can be returned by the consumer; and

(2) "On-site" means on the entity's property where the service is being provided.

(b) If an entity requires on-site payment from a consumer for the services that the entity provides, and the entity only accepts payment by use of a quick response (QR) code or a credit or debit card machine, then, in the event the QR code or the credit or debit card machine fails to operate correctly to process the payment transaction, the entity must:

(1) Accept payment from the consumer by cash, by check, or through a system that allows the consumer to provide the consumer's credit or debit card information over the phone; or

(2) Allow the consumer to leave the property without providing payment at the time.

(c)

(1) The entity may provide information to a consumer enabling the consumer to mail payment to the entity, or provide the consumer's credit or debit card information over the phone for payment of the services at a later date.

(2) If the entity does not provide the information described in subdivision (c)(1), then the consumer is not required to provide payment at a later date for the service.

(d) The entity shall provide notice of the alternative forms of payment accepted on a prominent sign located on the entity's property where payment is taken.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it, and applies to services provided on or after that date.