

**SENATE BILL NO. 152**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/21/16

Referred: Labor and Commerce

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to a money services business; relating to transmitting value that  
2 substitutes for money; relating to licensing requirements and registration through the  
3 Nationwide Multistate Licensing System and Registry; relating to surety bonding  
4 requirements; authorizing certain licensees to contract to use subdelegates for reloading  
5 funds onto stored-value cards; relating to record retention, reporting requirements, and  
6 enforcement provisions; relating to exemptions; relating to money services Internet  
7 activities; relating to definitions regarding the transmitting value, currency, and money  
8 transmission business activities; and providing for an effective date."

9 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

10 \* **Section 1.** AS 06.55.101(a) is amended to read:

11 (a) Unless exempt under AS 06.55.802, a [A] person may not engage in the  
12 business of money transmission or advertise, solicit, or hold the person out as

1 providing money transmission unless the person

2 (1) holds a money transmission license; or

3 (2) is an authorized delegate of a person who holds a money  
4 transmission license.

5 \* **Sec. 2.** AS 06.55.101(c) is amended by adding a new subsection to read:

6 (c) A person required to be licensed under AS 06.55.101 - 06.55.106 shall  
7 register with the registry and maintain a valid unique identifier issued by the registry.

8 \* **Sec. 3.** AS 06.55.102 is repealed and reenacted to read:

9 **Sec. 06.55.102. Application for license.** An application for a money  
10 transmission license under this chapter must

11 (1) be in a format established by the department;

12 (2) contain complete information required by the department;

13 (3) include each control person's fingerprints for submission to the  
14 Department of Public Safety or the Federal Bureau of Investigations and any  
15 governmental agency or entity authorized to receive that information to obtain a report  
16 of criminal justice information and a national criminal history record check;

17 (4) include personal history and experience in a format established by  
18 the department to obtain

19 (A) an independent credit report from a consumer reporting  
20 agency; and

21 (B) information related to administrative, civil, or criminal  
22 findings by a governmental jurisdiction;

23 (5) contain other information or supporting material that the  
24 department may require concerning the applicant, including the organization and  
25 operations of an applicant for a money transmission license and the financial  
26 responsibility, background, experience, and activities of the applicant;

27 (6) include a nonrefundable application fee and an initial license fee, as  
28 established by the department; and

29 (7) include a surety bond as required by AS 06.55.104.

30 \* **Sec. 4.** AS 06.55.104 is repealed and reenacted to read:

31 **Sec. 06.55.104. Security.** (a) A surety bond must accompany an application

1 for a money transmission license. The surety bond must be at least \$25,000 and may  
2 not exceed \$1,000,000 as established by the department.

3 (b) The surety bond must be in a form satisfactory to the department and  
4 payable to the state for the benefit of the state and any person or persons who suffer  
5 loss due to a violation of this chapter by a licensee or a licensee's authorized delegate.

6 (c) The aggregate liability on a surety bond may not exceed the principal sum  
7 of the bond. A claimant against a money transmission licensee may maintain an action  
8 on the bond, or the department may maintain an action on behalf of the claimant.

9 (d) A surety bond must cover claims for as long as the department specifies,  
10 but for at least five years after the date the money transmission licensee stops  
11 providing money services in this state. The department may permit the amount of  
12 security to be reduced or eliminated before the expiration of that time to the extent the  
13 amount of the money transmission licensee's payment instruments or stored-value  
14 obligations outstanding is reduced.

15 (e) The bond must be obtained from a surety company authorized to do  
16 business in this state.

17 (f) If a money transmission licensee does not maintain a surety bond in the  
18 amount required under (a) of this section, the department may issue an order under  
19 AS 06.55.603.

20 \* **Sec. 5.** AS 06.55.105 is repealed and reenacted to read:

21 **Sec. 06.55.105. Issuance of license.** (a) When an application is filed under  
22 AS 06.55.102, the department shall investigate the applicant's financial condition and  
23 responsibility, financial and business experience, competence, character, and general  
24 fitness. The department may conduct an investigation of the applicant, the reasonable  
25 cost of which the applicant shall pay. The department shall issue a money transmission  
26 license to an applicant under AS 06.55.102 if the department finds that all of the  
27 following conditions have been fulfilled:

28 (1) the applicant has complied with the requirements of this chapter for  
29 obtaining the license;

30 (2) the financial condition and responsibility, financial and business  
31 experience, competence, character, and general fitness of the applicant indicate that it

1 is in the interest of the public to permit the applicant to engage in money transmission;  
2 and

3 (3) the applicant, including any employees or independent contractors  
4 of the applicant, is not listed on the Specially Designated Nationals and Blocked  
5 Persons List or any other Office of Foreign Assets Control sanctions list prepared by  
6 the United States Department of the Treasury or designated successor agency.

7 (b) When an application for an original money transmission license under  
8 AS 06.55.102 is complete, the department shall promptly notify the applicant in a  
9 record of the date on which the application was determined to be complete and the  
10 department shall approve or deny the application not later than 120 days after that  
11 date.

12 (c) The department may for good cause extend the application period.

13 (d) An applicant whose application under AS 06.55.102 is denied by the  
14 department under AS 06.55.101 - 06.55.106 may appeal, not later than 30 days after  
15 receipt of the notice of the denial, and request a hearing.

16 (e) A license issued under AS 06.55.101 - 06.55.106 remains in effect until  
17 December 31 of the year in which the license is issued, unless the license is revoked,  
18 is suspended, or is surrendered.

19 \* **Sec. 6.** AS 06.55.106 is repealed and reenacted to read:

20 **Sec. 06.55.106. Renewal of license.** (a) To renew a license, the licensee shall  
21 submit to the department a

22 (1) renewal application at a time and in a format established by the  
23 department;

24 (2) renewal fee as established by the department; and

25 (3) report identifying any changes in the information previously  
26 provided and any additional information requested by the department.

27 (b) The department shall approve or deny the application for renewal of a  
28 license not later than 60 days after the renewal application is filed.

29 \* **Sec. 7.** AS 06.55 is amended by adding a new section to read:

30 **Sec. 06.55.108. Annual assessment fee and annual report.** (a) A licensee  
31 shall pay an annual assessment fee as established by the department not later than the

1 annual assessment due date or, if the annual assessment due date is not a business day,  
2 on the next business day. Annual assessment fees shall be established by the  
3 department in regulation.

4 (b) A licensee shall submit an accurate annual report with the annual  
5 assessment in a format established by the department.

6 (c) If a licensee does not file an annual report or pay its annual assessment by  
7 the assessment due date, the department shall assess the licensee a late fee as  
8 established by the department.

9 \* **Sec. 8.** AS 06.55.201(a) is amended to read:

10 (a) **Unless exempt under AS 06.55.802, a** [A] person may not engage **in the**  
11 **business of** currency exchange or advertise, solicit, or hold the person out as providing  
12 currency exchange for which the person receives revenues equal or greater than five  
13 percent of total revenues unless the person

14 (1) holds a currency exchange license; **or**

15 (2) holds a money transmission license [; OR

16 (3) IS AN AUTHORIZED DELEGATE OF A PERSON WHO  
17 HOLDS A MONEY TRANSMISSION LICENSE].

18 \* **Sec. 9.** AS 06.55.201 is amended by adding a new subsection to read:

19 (c) A person required to be licensed under AS 06.201 - 06.55.206 must  
20 register with the registry and maintain a valid unique identifier issued by the registry.

21 \* **Sec. 10.** AS 06.55.202 is repealed and reenacted to read:

22 **Sec. 06.55.202. Application for license.** An application for a currency  
23 exchange license must

24 (1) be in a format established by the department;

25 (2) contain complete information required by the department;

26 (3) include each control person's fingerprints for submission to the  
27 Department of Public Safety or the Federal Bureau of Investigations and any  
28 governmental agency or entity authorized to receive that information to obtain a report  
29 of criminal justice information and a national criminal history record check.

30 (4) include personal history and experience in a format established by  
31 the department to obtain

1 (A) an independent credit report from a consumer reporting  
2 agency; and

3 (B) information related to administrative, civil, or criminal  
4 findings by a governmental jurisdiction;

5 (5) contain other information or supporting material that the  
6 department may require concerning the applicant, including the organization and  
7 operations of an applicant for a currency exchange license and the financial  
8 responsibility, background, experience, and activities of the applicant;

9 (6) include a nonrefundable application fee and an initial license fee, as  
10 established by the department;

11 (7) include a surety bond as required by AS 06.55.206.

12 \* **Sec. 11.** AS 06.55.203(a) is amended to read:

13 (a) When an application [FOR A CURRENCY EXCHANGE LICENSE] is  
14 filed under **AS 06.55.202** [AS 06.55.201 - 06.55.204], the department shall investigate  
15 the applicant's financial condition and responsibility, financial and business  
16 experience, **competence**, character, and general fitness. The department may conduct  
17 an [ON-SITE] investigation of the applicant, the reasonable cost of which the  
18 applicant shall pay. The department shall issue a currency exchange license to an  
19 applicant under **AS 06.55.202** [AS 06.55.201 - 06.55.204] if the department finds that  
20 all of the following conditions have been fulfilled:

21 (1) the applicant has complied with **the requirements of this chapter**  
22 **for obtaining the license** [AS 06.55.202]; and

23 (2) the financial condition and responsibility, financial and business  
24 experience, **competence**, character, and general fitness [OF THE APPLICANT, AND  
25 THE COMPETENCE, EXPERIENCE, CHARACTER, AND GENERAL FITNESS  
26 OF THE EXECUTIVE OFFICERS, MANAGERS, DIRECTORS, AND PERSONS  
27 IN CONTROL] of the applicant indicate that it is in the interest of the public to permit  
28 the applicant to engage in currency exchange; **and**

29 **(3) the applicant, including any employees or independent**  
30 **contractors of the applicant, is not listed on the Specially Designated Nationals**  
31 **and Blocked Persons List or any other Office of Foreign Assets Control sanctions**

1 list prepared by the United States Department of the Treasury or designated  
 2 successor agency.

3 \* **Sec. 12.** AS 06.55.203(b) is amended to read:

4 (b) When an application for an original currency exchange license under  
 5 AS 06.55.202 [AS 06.55.201 - 06.55.204] is complete, the department shall promptly  
 6 notify the applicant in a record of the date on which the application was determined to  
 7 be complete, and

8 [(1)] the department shall approve or deny the application not later  
 9 than [WITHIN] 120 days after that date [; OR

10 (2) IF THE APPLICATION IS NOT APPROVED OR DENIED  
 11 WITHIN 120 DAYS AFTER THAT DATE,

12 (A) THE APPLICATION IS APPROVED; AND

13 (B) THE DEPARTMENT SHALL ISSUE THE CURRENCY  
 14 EXCHANGE LICENSE UNDER AS 06.55.201 - 06.55.204 TO TAKE  
 15 EFFECT AS OF THE FIRST BUSINESS DAY AFTER EXPIRATION OF  
 16 THE PERIOD].

17 \* **Sec. 13.** AS 06.55.203(d) is amended to read:

18 (d) An applicant whose application under AS 06.55.202 is denied by the  
 19 department under AS 06.55.201 - 06.55.206 [AS 06.55.201 - 06.55.204] may appeal,  
 20 not later than [WITHIN] 30 days after receipt of the notice of the denial, [FROM  
 21 THE DENIAL] and request a hearing.

22 \* **Sec. 14.** AS 06.55.203 is amended by adding a new subsection to read:

23 (e) A license issued under AS 06.55.201 - 06.55.206 remains in effect until  
 24 December 31 of the year in which the license is issued, unless the license is revoked,  
 25 is suspended, or is surrendered.

26 \* **Sec. 15.** AS 06.55.204 is repealed and reenacted to read:

27 **Sec. 06.55.204. Renewal of license.** (a) To renew a license, the licensee shall  
 28 submit to the department a

29 (1) renewal application at a time and in a format established by the  
 30 department;

31 (2) renewal fee as established by the department; and

1 (3) report identifying any changes in the information previously  
2 provided and any additional information requested by the department.

3 (b) The department shall approve or deny the application for renewal of a  
4 license not later than 60 days after the renewal application is filed.

5 \* **Sec. 16.** AS 06.55 is amended by adding a new section to article 2 to read:

6 **Sec. 06.55.206. Security.** (a) A surety bond must accompany an application  
7 for a currency exchange license. The surety bond must be at least \$25,000 and may not  
8 exceed \$1,000,000 as established by the department.

9 (b) The surety bond must be in a form satisfactory to the department and  
10 payable to this state for the benefit of this state and any person or persons who suffer  
11 loss due to a violation of this chapter by a licensee or a licensee's authorized delegate.

12 (c) The aggregate liability on a surety bond may not exceed the principal sum  
13 of the bond. A claimant against a currency exchange licensee may maintain an action  
14 on the bond, or the department may maintain an action on behalf of the claimant.

15 (d) A surety bond must cover claims for as long as the department specifies,  
16 but for at least five years after the date the currency exchange licensee stops providing  
17 currency exchange in this state. The department may permit the amount of security to  
18 be reduced or eliminated before the expiration of that time to the extent the amount of  
19 the currency exchange licensee's outstanding obligations in this state is reduced.

20 (e) The bond shall be obtained from a surety company authorized to do  
21 business in this state.

22 (f) If a currency exchange licensee does not maintain a surety bond in the  
23 amount required under (a) of this section, the department may issue an order under  
24 AS 06.55.603.

25 \* **Sec. 17.** AS 06.55 is amended by adding a new section to read:

26 **Sec. 06.55.207. Annual assessment and annual report.** (a) A licensee shall  
27 pay an annual assessment as established by the department not later than the annual  
28 assessment due date or, if the annual assessment due date is not a business day, on the  
29 next business day. Annual assessment fees shall be established by the department.

30 (b) A licensee shall submit an accurate annual report with the annual  
31 assessment in a format established by the department.



1 (c) If a licensee does not file an annual report or pay its annual assessment by  
 2 the assessment due date, the department shall assess the licensee a late fee as  
 3 established by the department.

4 \* **Sec. 18.** AS 06.55.301(b) is amended to read:

5 (b) An authorized delegate shall remit all money owing to the money services  
 6 licensee under the terms of the contract between the money services licensee and the  
 7 authorized delegate. [IN THIS SUBSECTION, "REMIT" MEANS TO MAKE  
 8 DIRECT PAYMENTS OF MONEY TO A MONEY SERVICES LICENSEE OR ITS  
 9 REPRESENTATIVE AUTHORIZED TO RECEIVE MONEY OR TO DEPOSIT  
 10 MONEY IN A BANK IN AN ACCOUNT SPECIFIED BY THE MONEY  
 11 SERVICES LICENSEE.]

12 \* **Sec. 19.** AS 06.55.301(d) is amended to read:

13 (d) An authorized delegate may not provide money services outside the scope  
 14 of activity permissible under the contract between the authorized delegate and the  
 15 money services licensee, except activity in which the authorized delegate is authorized  
 16 to engage under AS 06.55.101 - 06.55.206 [AS 06.55.101 - 06.55.204]. An authorized  
 17 delegate of a money services licensee holds in trust for the benefit of the money  
 18 services licensee all money net of fees received from money services.

19 \* **Sec. 20.** AS 06.55.301 is amended by adding a new subsection to read:

20 (f) A money services licensee may conduct business regulated under this  
 21 chapter through an authorized delegate appointed by the licensee in accordance with  
 22 this section. A licensee is responsible for acts of the authorized delegate, of which the  
 23 licensee has or reasonably should have knowledge, that are conducted under the  
 24 authority granted by the licensee and that relate to the licensee's money services  
 25 business.

26 \* **Sec. 21.** AS 06.55 is amended by adding a new section to article 3 to read:

27 **Sec. 06.55.304. Limited authorization of subdelegate.** (a) A money services  
 28 licensee may contract with another money services licensee to use that other licensee's  
 29 existing authorized delegate as a subdelegate to load funds onto the first licensee's  
 30 existing open-loop stored-value cards. If the subdelegate sells new open-loop stored-  
 31 value cards for the first licensee, that licensee shall add the subdelegate to the

1 licensee's authorized delegate roster.

2 (b) A money services licensee shall maintain all contracts under (a) of this  
3 section as part of the licensee's books and records and make them available to the  
4 department on request.

5 \* **Sec. 22.** AS 06.55.401 is repealed and reenacted to read:

6 **Sec. 06.55.401. Authority to conduct examinations.** (a) A licensee or other  
7 person subject to this chapter shall make available to the department, on request, the  
8 place of business, books, records, accounts, safes, and vaults relating to the operations  
9 of the licensee or other person subject to this chapter. The department may interview  
10 any person, including control persons, officers, principals, employees, authorized  
11 delegates, and customers of the licensee or other person subject to this chapter  
12 concerning the licensee's or other person's business.

13 (b) The department may conduct an examination or investigation of the books,  
14 accounts, records, papers, documents, files, and other information used in the business  
15 of a money services licensee or its authorized delegates in conjunction with  
16 representatives of other state agencies or agencies of another state or of the federal  
17 government. The department may accept an examination report or an investigation  
18 report of an agency of this state or of another state or of the federal government.

19 (c) A joint examination or investigation, or an acceptance of an examination  
20 or investigation report, does not preclude the department from conducting an  
21 examination or investigation under this chapter. A joint report or a report accepted  
22 under this section is an official report of the department for all purposes.

23 (d) For the purpose of hearings, investigations, or other proceedings under this  
24 chapter, the department or an officer designated by the department may administer  
25 oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take  
26 evidence, and require the production of books, papers, correspondence, memoranda,  
27 agreements, or other documents or records that the department considers relevant or  
28 material to the matter. Information obtained during an examination under this chapter  
29 may be disclosed only as provided in AS 06.55.407.

30 (e) A person shall reimburse the department for reasonable costs incurred by  
31 the department to conduct an examination or investigation under this section.

1 \* **Sec. 23.** AS 06.55.402 is repealed and reenacted to read:

2           **Sec. 06.55.402. Cooperation.** The department may consult and cooperate with  
3 other state and federal regulators in enforcing and administering this chapter.

4 \* **Sec. 24.** AS 06.55.403(b) is repealed and reenacted to read:

5           (b) A money services licensee shall file with the department not later than 45  
6 days after the end of each fiscal quarter a report containing information about the  
7 licensee, its locations, authorized delegates, and any other information as required by  
8 the department. The department shall establish the content and form of the report.

9 \* **Sec. 25.** AS 06.55.403(c) is amended to read:

10           (c) A money services licensee shall file a report with the department **not later**  
11 **than** [WITHIN] one business day after the money services licensee has reason to  
12 know of the occurrence of **one or more** [ANY] of the following events:

13                   (1) the filing of a petition by or against the money services licensee  
14 under 11 U.S.C. 101 - 110 (Bankruptcy Code) for bankruptcy or reorganization;

15                   (2) the filing of a petition by or against the money services licensee for  
16 receivership, the commencement of any other judicial or administrative proceeding for  
17 its dissolution or reorganization, or the making of a general assignment for the benefit  
18 of its creditors;

19                   (3) the commencement of a proceeding to revoke or suspend its money  
20 services license in a state or country in which the money services licensee engages in  
21 business or is licensed;

22                   (4) the cancellation or other impairment of the money services  
23 licensee's bond [OR OTHER SECURITY];

24                   (5) a charge against or conviction of the money services licensee or of  
25 an officer, manager, director, or person in control of the money services licensee for a  
26 felony; or

27                   (6) a charge against or conviction of an authorized delegate for a  
28 felony.

29 \* **Sec. 26.** AS 06.55.403 is amended by adding a new subsection to read:

30           (d) The department may establish a late fee or other consequence for a money  
31 services licensee who fails to file a report as required by this section.

1 \* **Sec. 27.** AS 06.55.404(a) is amended to read:

2 (a) A money services licensee shall

3 (1) give the department notice in a record **30 days before** [OF] a  
4 proposed change of control **and give the department notice in a record not later**  
5 **than** [WITHIN] 15 days after learning of the proposed change of control;

6 (2) request approval of the **change of control by submitting the**  
7 **information required by the department** [ACQUISITION]; and

8 (3) submit a nonrefundable fee with the notice **as required by the**  
9 **department.**

10 \* **Sec. 28.** AS 06.55.404(d) is amended to read:

11 (d) When an application for a change of control [UNDER AS 06.55.401 -  
12 06.55.407] is complete, the department shall notify the money services licensee in a  
13 record of the date on which the request was determined to be complete, and

14 [(1)] the department shall approve or deny the request **not later than**  
15 [WITHIN] 120 days after that date [; OR

16 (2) IF THE REQUEST IS NOT APPROVED OR DENIED WITHIN  
17 120 DAYS AFTER THAT DATE,

18 (A) THE REQUEST IS APPROVED; AND

19 (B) THE DEPARTMENT SHALL PERMIT THE CHANGE  
20 OF CONTROL UNDER THIS SECTION, TO TAKE EFFECT AS OF THE  
21 FIRST BUSINESS DAY AFTER EXPIRATION OF THE PERIOD].

22 \* **Sec. 29.** AS 06.55.405(a) is amended to read:

23 (a) A [MONEY SERVICES] licensee shall maintain the following records for  
24 determining its compliance with this chapter for at least **five** [THREE] years:

25 (1) a record of each payment instrument or stored-value obligation  
26 sold;

27 (2) a general ledger posted at least monthly containing all asset,  
28 liability, capital, income, and expense accounts;

29 (3) bank statements and bank reconciliation records;

30 (4) records of outstanding payment instruments and stored-value  
31 obligations;

1 (5) records of each payment instrument and stored-value obligation  
2 paid within the **five-year** [THREE-YEAR] period;

3 (6) a list of the last known names and addresses of all of the money  
4 services licensee's authorized delegates;

5 **(7) copies of all currency transaction reports and suspicious**  
6 **activity reports filed in compliance with AS 06.55.406;** and

7 **(8)** [(7)] any other records the department reasonably requires by  
8 regulation.

9 \* **Sec. 30.** AS 06.55.405(b) is repealed and reenacted to read:

10 (b) The items specified in (a) of this section must be provided in a format  
11 established by the department.

12 \* **Sec. 31.** AS 06.55.406 is repealed and reenacted to read:

13 **Sec. 06.55.406. Money laundering reports.** A money services licensee and an  
14 authorized delegate shall file with the United States Department of the Treasury, or its  
15 designated successor agency, all reports required by federal currency reporting, record  
16 keeping, and suspicious transaction reporting requirements as set out in 31 U.S.C.  
17 5311 - 5332 and other federal and state laws pertaining to money laundering.

18 \* **Sec. 32.** AS 06.55.407(b) is amended to read:

19 (b) The department may disclose information that is not otherwise subject to  
20 disclosure under (a) of this section to representatives of state or federal agencies who  
21 **agree in writing to** [PROMISE IN A RECORD THAT THEY WILL] maintain the  
22 confidentiality of the information or if the department finds that the release is  
23 reasonably necessary for the protection of the public and in the interests of justice [,  
24 AND THE MONEY SERVICES LICENSEE HAS BEEN GIVEN PREVIOUS  
25 NOTICE BY THE DEPARTMENT OF ITS INTENT TO RELEASE THE  
26 INFORMATION].

27 \* **Sec. 33.** AS 06.55.407(c) is amended to read:

28 (c) This section does not prohibit the department from disclosing to the public

29 **(1)** a list of money services licensees or **authorized delegates,**  
30 **including addresses and the names of contact individuals;**

31 **(2)** **the identity of a money services licensee or authorized delegate**

1 **subject to an emergency or final order of the department; or**

2 (3) the aggregated financial data **of** [CONCERNING THOSE] money  
3 services licensees.

4 \* **Sec. 34.** AS 06.55.501(a) is amended to read:

5 (a) **Except as provided in (b) of this section, a** [A] money services licensee  
6 shall maintain at all times permissible investments that have a market value computed  
7 under generally accepted accounting principles of not less than the aggregate amount  
8 of all of its outstanding payment instruments and stored-value obligations issued or  
9 sold in all states and money transmitted from all states by the money services licensee.

10 \* **Sec. 35.** AS 06.55.501(c) is repealed and reenacted to read:

11 (c) A permissible investment subject to this section, even if commingled with  
12 other assets of the money services licensee, is considered by operation of law to be  
13 held in trust for the benefit of any individual to whom an obligation arising under this  
14 chapter is owed and may not be considered an asset or property of the licensee in the  
15 event of bankruptcy, receivership, or a claim against the licensee unrelated to any of  
16 the licensee's obligations under this chapter.

17 \* **Sec. 36.** AS 06.55.601(a) is amended to read:

18 (a) The department may **issue an order under AS 06.55.603 to** suspend or  
19 revoke a money services license, place a money services licensee in receivership, or  
20 order a money services licensee to revoke the designation of an authorized delegate if

21 (1) the money services licensee violates this chapter or a regulation  
22 adopted or an order issued under this chapter;

23 (2) the money services licensee **did not permit or** [DOES NOT]  
24 cooperate with an examination or investigation by the department;

25 (3) the money services licensee engages in fraud, intentional  
26 misrepresentation, or gross negligence;

27 (4) **a money services licensee or** an authorized delegate is convicted  
28 of a violation of a state or federal anti-money laundering statute, **or a law listed in**  
29 **AS 06.55.860,** or violates a regulation adopted or an order issued under this chapter, as  
30 a result of the money services licensee's wilful misconduct or wilful blindness;

31 (5) the competence, experience, character, or general fitness of the

1 money services licensee, authorized delegate, person in control of a money services  
 2 licensee, or responsible person of the money services licensee or authorized delegate  
 3 indicates that it is not in the public interest to permit the person to provide money  
 4 services;

5 (6) the money services licensee engages in an unsafe or unsound  
 6 practice;

7 (7) the money services licensee is insolvent, suspends payment of its  
 8 obligations, or makes a general assignment for the benefit of its creditors; [OR]

9 (8) the money services licensee does not remove an authorized  
 10 delegate after the department issues and serves upon the money services licensee a  
 11 final order including a finding that the authorized delegate has violated this chapter;

12 **(9) a fact or condition exists that, if it had been known at the time**  
 13 **the money services licensee applied for the license, would have been grounds for**  
 14 **denying the application;**

15 **(10) the money services licensee has engaged in false, misleading,**  
 16 **or deceptive advertising;**

17 **(11) the money services licensee has failed to pay a judgment**  
 18 **entered in favor of a claimant or creditor in an action arising out of the money**  
 19 **services licensee's activities under this chapter not later than the 30th day after**  
 20 **the date the stay of execution expires or is terminated, as applicable; or**

21 **(12) the money services licensee knowingly made a material**  
 22 **misstatement or has suppressed or withheld material information on an**  
 23 **application, request for approval, report, or other document required to be filed**  
 24 **with the department under this chapter.**

25 \* **Sec. 37.** AS 06.55.601(b) is amended to read:

26 (b) In determining whether a money services licensee is engaging in an unsafe  
 27 or unsound practice, the department may consider the size and condition of the money  
 28 services licensee's money transmission **or currency exchange**, the magnitude of the  
 29 loss **or potential loss**, the gravity of the violation of this chapter **or an order issued**  
 30 **under this chapter, or an action taken against the money services licensee by this**  
 31 **state, another state, or the federal government**, and the previous conduct of the

1 person involved.

2 \* **Sec. 38.** AS 06.55.602(a) is amended to read:

3 (a) The department may issue an order **under AS 06.55.603 to suspend or**  
 4 **revoke** [SUSPENDING OR REVOKING] the designation of an authorized delegate  
 5 **or the limited designation of a subdelegate** if [THE DEPARTMENT FINDS THAT]

6 (1) the authorized delegate **or subdelegate** violated this chapter or a  
 7 regulation adopted or an order issued under this chapter **or any other state or federal**  
 8 **law applicable to a money services business;**

9 (2) the authorized delegate **or subdelegate** did not **permit or**  
 10 cooperate with an examination or investigation by the department;

11 (3) **in connection with the operation of the delegate's business on**  
 12 **behalf of the money services licensee or any transaction subject to this chapter** the  
 13 authorized delegate **or subdelegate has** engaged in fraud, intentional  
 14 misrepresentation, **deceit,** [OR] gross negligence, **or an unfair or deceptive act or**  
 15 **practice;**

16 (4) the authorized delegate **or subdelegate** is convicted of a violation  
 17 of a state or federal anti-money laundering statute **or any law listed in AS 06.55.860;**

18 (5) the competence, experience, character, or general fitness of the  
 19 authorized delegate, **or subdelegate,** or a person in control of the authorized delegate  
 20 **or subdelegate** indicates that it is not in the public interest to permit the authorized  
 21 delegate **or subdelegate** to provide money services; [OR]

22 (6) the authorized delegate is engaging in an unsafe or unsound  
 23 practice **or**

24 (7) **the authorized delegate, a person in control of the authorized**  
 25 **delegate, or the subdelegate is listed on the Specially Designated Nationals and**  
 26 **Blocked Persons List, or any other Office of Foreign Assets Control sanctions list**  
 27 **prepared by the United States Department of the Treasury, or designated**  
 28 **successor agency.**

29 \* **Sec. 39.** AS 06.55.602(b) is amended to read:

30 (b) In determining whether an authorized delegate **or subdelegate** is engaging  
 31 in an unsafe or unsound practice, the department may consider the size and condition



1 of the authorized delegate's or subdelegate's provision of money services, the  
 2 magnitude of the loss or potential loss, the gravity of the violation of this chapter or a  
 3 regulation adopted or order issued under this chapter, an action taken against the  
 4 delegate or subdelegate by this state, another state, or the federal government,  
 5 and the previous conduct of the authorized delegate or subdelegate.

6 \* **Sec. 40.** AS 06.55.603 is repealed and reenacted to read:

7 **Sec. 06.55.603. Administrative orders.** (a) If the department determines that a  
 8 violation of this chapter or an order issued under this chapter by a person licensed  
 9 under this chapter is likely to cause immediate and irreparable harm to the money  
 10 services licensee, its customers, or the public as a result of the violation, or cause  
 11 insolvency or significant dissipation of assets of the money services licensee, the  
 12 department may issue an administrative order. The order becomes effective on service  
 13 of the order on a person licensed under this chapter.

14 (b) The department may issue an order against a person licensed under this  
 15 chapter to

16 (1) stop providing money services;

17 (2) compel payment of restitution to damaged parties;

18 (3) require affirmative action to comply with this chapter or regulation  
 19 adopted under this chapter; and

20 (4) remove from office or prohibit from participation an officer, person  
 21 in control, or employee.

22 (c) An order remains effective and enforceable pending the completion of an  
 23 administrative proceeding under AS 06.55.701 or 06.55.702.

24 (d) A person licensed under this chapter who is served with an order may  
 25 petition the superior court for a judicial order setting aside, limiting, or suspending the  
 26 enforcement, operation, or effectiveness of the order pending the completion of an  
 27 administrative proceeding under AS 06.55.701 or 06.55.702.

28 \* **Sec. 41.** AS 06.55.607(a) is repealed and reenacted to read:

29 (a) If the department has reason to believe that a person who is not a money  
 30 services licensee under AS 06.55.101, currency exchange licensee under  
 31 AS 06.55.201, authorized delegate under AS 06.55.301, or subdelegate under

1 AS 06.55.304 has violated or is violating AS 06.55.101 or 06.55.201, the department  
2 may issue an order under AS 06.55.603.

3 \* **Sec. 42.** AS 06.55.607(c) is amended to read:

4 (c) An order [TO CEASE AND DESIST] becomes effective upon service of  
5 **the order** [IT] upon the person.

6 \* **Sec. 43.** AS 06.55.607(d) is amended to read:

7 (d) An order [TO CEASE AND DESIST] remains effective and enforceable  
8 pending the completion of an administrative proceeding under AS 06.55.701 and  
9 06.55.702.

10 \* **Sec. 44.** AS 06.55.607 is amended by adding a new subsection to read:

11 (g) An order issued by the department may include an additional monetary  
12 penalty if the department has reason to believe that a person who is not a money  
13 services licensee under AS 06.55.101, currency exchange licensee under  
14 AS 06.55.201, authorized delegate under AS 06.55.301, or subdelegate under  
15 AS 06.55.304 has violated or is violating AS 06.55.101 or 06.55.201.

16 \* **Sec. 45.** AS 06.55.802 is amended to read:

17 **Sec. 06.55.802. Exemptions [EXCLUSIONS].** This chapter does not apply to

18 (1) the United States or a department, an agency, or an instrumentality  
19 of the United States;

20 (2) money transmission by the United States Postal Service or by a  
21 contractor on behalf of the United States Postal Service;

22 (3) a state, a municipality, a county, or another governmental agency  
23 or governmental subdivision of a state;

24 (4) a bank, a bank holding company, an office of an international  
25 banking corporation, a branch of a foreign bank, a corporation organized under 12  
26 U.S.C. 1861 - 1867 (Bank Service Company Act), or a corporation organized under 12  
27 U.S.C. 611 - 633 (Edge Act) under the laws of a state or the United States, if it does  
28 not issue, sell, or provide payment instruments or stored value through an authorized  
29 delegate who is not a bank, a bank holding company, an office of an international  
30 banking corporation, a branch of a foreign bank, a corporation organized under 12  
31 U.S.C. 1861 - 1867 (Bank Service Company Act), or a corporation organized under 12

1 U.S.C. 611 - 633 (Edge Act) under the laws of a state or the United States;

2 (5) electronic funds transfer of governmental benefits for a federal,  
3 state, or municipal agency or a state political subdivision by a contractor on behalf of

4 (A) the United States or a department, an agency, or an  
5 instrumentality of the United States; or

6 (B) a state, or a department, an agency, or an instrumentality of  
7 a state;

8 (6) a board of trade or a person who, in the ordinary course of  
9 business, provides clearance and settlement services for a board of trade, to the extent  
10 of the operation of the person for a board of trade; in this paragraph, "board of trade"  
11 means a board of trade designated as a contract market under 7 U.S.C. 1 - 27f  
12 (Commodity Exchange Act);

13 (7) a registered futures commission merchant under the federal  
14 commodities laws, to the extent of the merchant's operation as a registered futures  
15 commission merchant under the federal commodities laws;

16 (8) a person who provides clearance or settlement services under a  
17 registration as a clearing agency or an exemption from the registration granted under  
18 the federal securities laws, to the extent of the person's operation as a provider of  
19 clearance or settlement services under a registration as a clearing agency or an  
20 exemption from the registration granted under the federal securities laws;

21 (9) an operator of a payment system to the extent that the operator  
22 provides processing, clearing, or settlement services, between or among persons  
23 excluded by this section, in connection with wire transfers, credit card transactions,  
24 debit card transactions, stored-value transactions, automated clearing house transfers,  
25 or similar funds transfers; [OR]

26 (10) a person registered as a securities broker-dealer under federal or  
27 state securities laws, to the extent of the person's operation as a securities broker-  
28 dealer under federal or state securities laws;

29 **(11) an insurance company, title insurance company, or escrow**  
30 **agent to the extent that the entity is lawfully authorized to conduct business in**  
31 **this state as an insurance company, title insurance company, or escrow agent and**

1 to the extent that the entity engages in money transmission or currency exchange  
 2 as an ancillary service when conducting insurance, title insurance, or escrow  
 3 activity; or

4 (12) an attorney, to the extent that the attorney is lawfully  
 5 authorized to practice law in this state and to the extent that the attorney engages  
 6 in money transmission or currency exchange as an ancillary service to the  
 7 practice of law.

8 \* **Sec. 46.** AS 06.55.810 is repealed and reenacted to read:

9 **Sec. 06.55.810. Notices required.** (a) A money services licensee shall provide  
 10 a customer with notice of how to file a complaint. The money services licensee shall  
 11 provide notice at each location where the money services licensee

12 (1) provides money services under this chapter; and

13 (2) has not designated an authorized delegate or subdelegate to provide  
 14 money services on behalf of the money services licensee at the location.

15 (b) An authorized delegate or subdelegate shall provide a notice of how to file  
 16 a complaint at each location where the authorized delegate or subdelegate provides  
 17 money services under this chapter.

18 (c) The notice required under this section must be in a content and format as  
 19 established by the department.

20 \* **Sec. 47.** AS 06.55.820 is repealed and reenacted to read:

21 **Sec. 06.55.820. Transmission, receipt, and refund.** A money services  
 22 licensee who receives money or equivalent value for money transmission or currency  
 23 exchange shall comply with transmission, receipt, and refund provisions according to  
 24 federal law (Federal Remittance Transfer Rule, 12 C.F.R. Part 1005, Subpart B) and  
 25 any requirements established by the department.

26 \* **Sec. 48.** AS 06.55 is amended by adding new sections to read:

27 **Sec. 06.55.860. Compliance with federal requirements.** A person subject to  
 28 this chapter shall conduct the person's money services activities in compliance with

29 (1) 31 U.S.C. 5311 - 5314 (Intelligence Reform and Terrorism  
 30 Prevention Act of 2004);

31 (2) 31 U.S.C. 5316 - 5329 (Money Laundering Control Act of 1986);

- 1 (3) 31 U.S.C. 5330 (Money Laundering Suppression Act of 1994);  
 2 (4) 31 U.S.C. 5331 - 5332 (International Money Laundering  
 3 Abatement and Financial Anti-Terrorism Act of 2001);  
 4 (5) 12 U.S.C. 1829b (Federal Deposit Insurance Act);  
 5 (6) 12 U.S.C. 1951 - 1959 (Bank Secrecy Act);  
 6 (7) 18 U.S.C. 981 - 982 (Money Laundering Control Act of 1986); and  
 7 (8) any other federal statute or regulation the purpose of which is to  
 8 regulate money transmission, currency exchange, or money services.

9 **Sec. 06.55.870. Escheatment of property.** A person subject to this chapter  
 10 shall comply with unclaimed property laws as defined in AS 34.45.

11 **Sec. 06.55.880. Application to Internet activities.** This chapter applies to a  
 12 person who engages in activities regulated under this chapter by using an Internet  
 13 website from within or outside the state.

14 \* **Sec. 49.** AS 06.55 is amended by adding new sections to article 9 to read:

15 **Sec. 06.55.900. Administration.** (a) The department may require an applicant  
 16 or a licensee to submit information, documentation, or payment of a fee required under  
 17 this chapter through the registry in a format established by the department and  
 18 acceptable to the registry.

19 (b) The department may use the registry as a channeling agent for obtaining  
 20 information required for licensing purposes under this chapter, including

21 (1) criminal history record information from the Federal Bureau of  
 22 Investigation, the United States Department of Justice, or any other agency or entity  
 23 identified by the department;

24 (2) information related to administrative, civil, or criminal findings by  
 25 other states.

26 **Sec. 06.55.920. Regulations.** The department may adopt regulations under  
 27 AS 44.62 (Administrative Procedure Act) to implement this chapter.

28 \* **Sec. 50.** AS 06.55.990 is repealed and reenacted to read:

29 **Sec. 06.55.990. Definitions.** In this chapter, unless the context indicates  
 30 otherwise,

31 (1) "applicant" means any person filing an application, a control

1 person, officer, director, manager, and owner applicant for a money services license;

2 (2) "authorized delegate" means a person to whom a money services  
3 licensee designates to provide money services on behalf of the money services  
4 licensee;

5 (3) "bank" means an institution organized under federal or state law  
6 that

7 (A) accepts demand deposits or deposits that the depositor may  
8 use for payment to third parties and engages in the business of making  
9 commercial loans; or

10 (B) engages in credit card operations and maintains only one  
11 office that accepts deposits, does not accept demand deposits or deposits that  
12 the depositor may use for payments to third parties, does not accept a savings  
13 or time deposit less than \$100,000, and does not engage in the business of  
14 making commercial loans;

15 (4) "control" means the

16 (A) ownership of, or the power to vote, directly or indirectly, at  
17 least 10 percent of a class of voting securities or voting interests of a money  
18 services licensee or person in control of a money services licensee; for  
19 purposes of determining the percentage of a money services licensee controlled  
20 by a person, the percentage consists of the person's interest aggregated with the  
21 interest of any spouse, parent, or child of the person;

22 (B) power to elect a majority of officers, managers, directors,  
23 trustees, or other persons exercising managerial authority of a money services  
24 licensee or person in control of a money services licensee; or

25 (C) power to exercise directly or indirectly, a controlling  
26 influence over the management or policies of a money services licensee or  
27 person in control of a money services licensee;

28 (5) "currency" means the coin and paper money of the United States or  
29 a foreign government that is

30 (A) designated as legal tender and circulates; and

31 (B) customarily used and accepted as a medium of exchange in

1 the country of issuance;

2 (6) "currency exchange" means receipt of revenues from the exchange  
3 of money of one government for money of another government;

4 (7) "currency exchange license" means a license under AS 06.55.201 -  
5 06.55.206;

6 (8) "currency exchange licensee" means a person who holds a currency  
7 exchange license;

8 (9) "department" means the Department of Commerce, Community,  
9 and Economic Development;

10 (10) "fiat currency" means government-issued currency that is  
11 designated as legal tender in its country of issuance through government decree,  
12 regulation, or law;

13 (11) "funds" means money or other value that may be accepted for  
14 money;

15 (12) "informal value transfer system"

16 (A) means any system, mechanism, or network that receives  
17 money for the purpose of making funds or an equivalent value payable to a  
18 third party in another geographic location, whether or not in the same form;  
19 and

20 (B) generally takes place outside of a conventional banking  
21 system through nonbank financial institutions or other business entities whose  
22 primary business activity may not be the transmission of money;

23 (13) "medium of exchange" means something commonly accepted in  
24 exchange for goods and services and recognized as representing a standard of value;

25 (14) "monetary value" means a medium of exchange, whether or not  
26 redeemable in money;

27 (15) "money" means a medium of exchange that is authorized or  
28 adopted by the United States or a foreign government, including a monetary unit of  
29 account established by an intergovernmental organization or by agreement between  
30 two or more governments;

31 (16) "money laundering" means an activity criminalized by 18 U.S.C.

1 1956 or 1957, or an activity that would be criminalized by 18 U.S.C. 1956 or 1957 if it  
2 occurred in the United States;

3 (17) "money services" means money transmission or currency  
4 exchange;

5 (18) "money services license" means a currency exchange license or a  
6 money transmission license;

7 (19) "money services licensee" means a person who holds a currency  
8 exchange license or a money transmission license;

9 (20) "money transmission" means

10 (A) the acceptance and the transmission of currency, funds, or  
11 other value that substitutes for currency from one person to another location or  
12 person within the United States or to locations abroad, by any means, including

13 (i) a financial agency or institution;

14 (ii) an electronic funds transfer network;

15 (iii) wire;

16 (iv) facsimile;

17 (v) payment instrument; or

18 (vi) an informal value transfer system;

19 (B) selling, issuing, or acting as an intermediary for open-loop  
20 stored-value devices and payment instruments; or

21 (C) a virtual currency business activity;

22 (21) "money transmission license" means a license under  
23 AS 06.55.101 - 06.55.106;

24 (22) "money transmission licensee" means a person who holds a  
25 money transmission license;

26 (23) "Nationwide Multistate Licensing System and Registry" means a  
27 licensing system developed by the Conference of State Bank Supervisors and the  
28 American Association of Residential Mortgage Regulators and owned and operated by  
29 the State Regulatory Registry, LLC, or any successor or an affiliated entity, for the  
30 licensing and registration of persons in the mortgage and other financial services  
31 industries;



1 (24) "officer" means a president, a chair of the executive committee, a  
2 chief financial officer, a chief compliance officer, a responsible individual, or another  
3 individual who performs similar functions; in this paragraph, "responsible individual"  
4 means an individual who is employed by a money services licensee and has principal  
5 managerial authority over the provision of money services by the money services  
6 licensee in this state;

7 (25) "open-loop stored value" means stored value redeemable at

8 (A) multiple, unaffiliated merchants or service providers; or

9 (B) automated teller machines;

10 (26) "outstanding" means

11 (A) with respect to a payment instrument, a payment  
12 instrument that has been issued and sold in the United States directly by the  
13 licensee, or sold by an authorized delegate or subdelegate of the licensee in the  
14 United States and reported to the licensee, that has not yet been paid by or for  
15 the licensee;

16 (B) with respect to a stored value, a stored value that has been  
17 issued and sold in the United States directly by the licensee, or sold by an  
18 authorized delegate or subdelegate of the licensee in the United States and  
19 reported to the licensee, until the funds are deposited into the program's issuing  
20 bank account; or

21 (C) with respect to transmission, a money transmission for  
22 which the licensee, directly or through an authorized delegate of the licensee,  
23 has received money or monetary value from the customer for transmission, but  
24 has not yet completed the money transmission by delivering the money or  
25 monetary value to the person designated by the customer or refunded the  
26 money or monetary value to the customer;

27 (27) "payment instrument"

28 (A) means an electronic or written check, a draft, a money  
29 order, a traveler's check, or other electronic or written instrument order for the  
30 transmission or payment of money or monetary value, whether or not the  
31 instrument is negotiable;

1 (B) does not include a credit card voucher, a letter of credit, or  
2 any other instrument that is redeemable by the issuer in goods or services;

3 (28) "payment system" means any system enabling the transfer of  
4 funds between parties;

5 (29) "person" means an individual, a corporation, a business trust, an  
6 estate, a trust, a partnership, a limited liability company, an association, a joint  
7 venture, a government, a governmental subdivision, an agency, or instrumentality, a  
8 public corporation, or any other legal or commercial entity;

9 (30) "record" means information that is inscribed on a tangible  
10 medium or that is stored in an electronic or other medium and is retrievable in  
11 perceivable form;

12 (31) "registry" means the Nationwide Multistate Licensing System and  
13 Registry;

14 (32) "remit" means to do one or more of the following:

15 (A) make direct payment of the funds to the licensee or its  
16 representatives authorized to receive those funds;

17 (B) deposit the funds in a bank, credit union, or savings and  
18 loan association, or other similar financial institution in an account specified  
19 by the licensee;

20 (33) "state" means a state of the United States, the District of  
21 Columbia, Puerto Rico, the United States Virgin Islands, or a territory or insular  
22 possession subject to the jurisdiction of the United States;

23 (34) "stored value"

24 (A) means monetary value that is evidenced by an electronic  
25 record that is prefunded and for which value is reduced on each use;

26 (B) includes prepaid access; in this subparagraph,

27 (i) "prepaid access" means access to fund or the value  
28 of funds that have been paid in advance and can be retrieved or  
29 transferred at some point in the future through an electronic device or  
30 vehicle;

31 (ii) "electronic device or vehicle" includes a card code,

1 electronic serial number, mobile identification number, or personal  
2 identification number;

3 (C) does not include an electronic record that is primarily  
4 intended to be redeemable only for goods or services from a specified  
5 merchant or set of affiliated merchants, or others involved in transactions  
6 functionally related to the issuer or its affiliates;

7 (35) "subdelegate" means an authorized delegate that provides limited  
8 money services on behalf of a licensee without having a direct contractual relationship  
9 with that licensee;

10 (36) "unsafe or unsound practice" means a practice or conduct by a  
11 money services licensee or an authorized delegate or subdelegate of the money  
12 services licensee if the practice creates the likelihood of material loss, insolvency, or  
13 dissipation of the money services licensee's assets, or otherwise materially prejudices  
14 the interests of the money services licensee's customers;

15 (37) "virtual currency"

16 (A) means a digital representation of value that does not have  
17 legal tender status in the United States but

18 (i) can be digitally traded and functions as a medium of  
19 exchange, a unit of account, a store of value; or

20 (ii) is incorporated into payment system technology;

21 (B) shall be broadly construed to include digital units of  
22 exchange that

23 (i) have a centralized repository; in this sub-  
24 subparagraph, "centralized repository" means a single third-party  
25 administrating authority that controls the system, issues the currency,  
26 establishes the rules for the currency's use, maintains a central payment  
27 ledger, and has authority to redeem the currency or withdraw it from  
28 circulation; or

29 (ii) are decentralized, distributive, open-source, math-  
30 based, peer-to-peer virtual currency with no central administrating  
31 authority and no central monitoring or oversight; or

1 (iii) may be created or obtained by computing or  
2 manufacturing effort;

3 (C) does not include digital units that are used

4 (i) solely within online gaming platforms with no  
5 market or application outside of those gaming platforms; or

6 (ii) exclusively as part of a customer affinity or rewards  
7 program, and can be applied solely as payment for purchases with the  
8 issuer or other designated merchants, and that cannot be converted into,  
9 or redeemed for, fiat currency;

10 (38) "virtual currency business activity" means the conduct of one or  
11 more of the following types of activities in this state or involving a resident of this  
12 state:

13 (A) receiving virtual currency for transmission;

14 (B) transmitting virtual currency;

15 (C) securing, storing, holding, or maintaining custody or  
16 control of virtual currency on behalf of others;

17 (D) buying and selling virtual currency as or through a third  
18 party;

19 (E) performing retail conversion services, including the  
20 conversion or exchange of fiat currency or other value into virtual currency,  
21 the conversion or exchange of virtual currency into fiat currency or other  
22 value, or the conversion or exchange of one form of virtual currency into  
23 another form of virtual currency; or

24 (F) controlling, administering, or issuing virtual currency.

25 \* **Sec. 51.** AS 06.55 is amended to read:

26 **Sec. 06.55.995. Short title.** This chapter may be cited as the Alaska  
27 [UNIFORM] Money Services Act.

28 \* **Sec. 52.** AS 12.62.400(a) is amended by adding a new paragraph to read:

29 (18) licensure as a money transmission licensee or a currency  
30 exchange licensee under AS 06.55.

31 \* **Sec. 53.** AS 12.62.400 is amend by adding a new subsection to read:

1 (c) Notwithstanding (a) of this section, an applicant for a license under  
2 AS 06.55 may submit the applicant's fingerprints to the Nationwide Multistate  
3 Licensing System and Registry as defined in AS 06.55.990.

4 \* **Sec. 54.** AS 06.55.103, 06.55.107, 06.55.404(g), 06.55.406(b), 06.55.607(f), 06.55.830,  
5 06.55.840, 06.55.850(b), 06.55.850(c), 06.55.850(d), and 06.55.850(e) are repealed.

6 \* **Sec. 55.** The uncodified law of the State of Alaska is amended by adding a new section to  
7 read:

8 TRANSITION: REGULATIONS. The Department of Commerce, Community, and  
9 Economic Development may proceed to adopt regulations to implement this Act. The  
10 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before July 1,  
11 2016.

12 \* **Sec. 56.** REVISOR'S INSTRUCTIONS. The Revisor of Statutes is requested to change  
13 the

14 (1) chapter heading of AS 06.55 from "Alaska Uniform Money Services Act"  
15 to "Alaska Money Services Act;"

16 (2) catch lines of

17 (A) AS 06.55.601 from "Suspension and revocation; receivership" to  
18 "Suspension and revocation of licensees; receivership"; and

19 (B) AS 06.55.602 from "Suspension and revocation of authorized  
20 delegates" to "Suspension and revocation of authorized delegates and subdelegates."

21 \* **Sec. 57.** Section 55 of this Act takes effect immediately under AS 01.10.070(c).

22 \* **Sec. 58.** Except as provided in sec. 57 of this Act, this Act takes effect July 1, 2016.