

AMENDMENT #1

OFFERED IN THE HOUSE
TO: CSSB 86(FIN)

BY REPRESENTATIVE FOSTER

- 1 Page 54, line 30:
2 Delete "December 31, 2025"
3 Insert "June 30, 2027"
4
5 Page 55, line 1:
6 Delete "July 1, 2027"
7 Insert "July 1, 2028"
8
9 Page 55, line 3:
10 Delete "December 31, 2025"
11 Insert "June 30, 2027"
12
13 Page 55, line 5:
14 Delete "December 31, 2025"
15 Insert "June 30, 2027"
16
17 Page 55, line 18:
18 Delete "July 1, 2026"
19 Insert "July 1, 2027"

AMENDMENT #2

OFFERED IN THE HOUSE
TO: CSSB 86(FIN)

BY REPRESENTATIVE STAPP

- 1 Page 10, line 18:
2 Delete "under this chapter"
3 Insert "to the extent specified under AS 06.55.502(b)(4)"
4
5 Page 32, line 6:
6 Delete "and"
7
8 Page 32, line 19, following "Force":
9 Insert "; and
10 (4) virtual currency is only a permissible investment for outstanding
11 money transmission obligations of virtual currency"

AMENDMENT #3

OFFERED IN THE HOUSE
TO: CSSB 86(FIN)

BY REPRESENTATIVE Stapp

1 Page 11, lines 26 - 31:

2 Delete "(a) The provisions of AS 06.55.150 - 06.55.165 do not apply to a virtual
3 currency exchange, a virtual currency transfer, virtual currency storage, or virtual currency
4 administration to the extent the activity is governed by 15 U.S.C. 1693 - 1693r (Electronic
5 Fund Transfer Act of 1978), 15 U.S.C. 78a - 78qq (Securities Exchange Act of 1934), 7
6 U.S.C. 1 - 27f (Commodity Exchange Act), or AS 45.56.100 - 45.56.995 (Alaska Securities
7 Act)."

8

9 Reletter the following subsections accordingly.

#4

AMENDMENT

OFFERED IN THE HOUSE
TO: CSSB 86(FIN)

BY REPRESENTATIVE Stapp

1 Page 20, line 18:

2 Delete "AS 06.55.802(4)"

3 Insert "AS 06.55.802(a)(4)"

4

5 Page 41, line 21:

6 Delete "section"

7 Insert "subsection"

8

9 Page 43, lines 5 - 15:

10 Delete ";

11 (18) a person providing payroll processing services; in this
12 paragraph,

13 (A) "payroll processing services" means receiving money
14 for transmission under a contract with a person to deliver wages or
15 salaries, make payment of payroll taxes to state and federal agencies,
16 make payments relating to employee benefit plans, or make distributions
17 of other authorized deductions from wages or salaries;

18 (B) "receiving money for transmission" means receiving
19 money or monetary value in the United States for transmission within or
20 outside the United States by electronic or other means"

21

22 Page 43, following line 16:

23 Insert a new bill section to read:

1 ** Sec. 44. AS 06.55.802 is amended by adding a new subsection to read:

2 (b) The department may adopt regulations that exempt a person providing
3 payroll processing services from all or some of the provisions of this chapter when the
4 volume of the money transmissions received by the person are minor compared to the
5 volume of money transmissions generally received by a person licensed under this
6 chapter. In this subsection,

7 (1) "money transmission" means receiving money or monetary value
8 in the United States for transmission within or outside the United States;

9 (2) "payroll processing services" means money transmissions received
10 under a contract with a person for the purpose of delivering wages or salaries, making
11 payments of payroll taxes to state and federal agencies, making payments relating to
12 employee benefit plans, or making distributions of other authorized deductions from
13 wages or salaries."

14

15 Renumber the following bill sections accordingly.

16

17 Page 55, line 15:

18 Delete "sec. 65"

19 Insert "sec. 66"

20

21 Page 55, line 17:

22 Delete "Section 68"

23 Insert "Section 69"

24

25 Page 55, line 18:

26 Delete "sec. 70"

27 Insert "sec. 71"

AMENDMENT #5

OFFERED IN THE HOUSE
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BY REPRESENTATIVE Stapp

1 Page 38, lines 23 - 25:

2 Delete "plus the department's costs and expenses for the investigation and
3 prosecution of the matter, including reasonable attorney fees"

4

5 Page 38, following line 25:

6 Insert a new bill section to read:

7 "* **Sec. 38.** AS 06.55.605 is amended by adding a new subsection to read:

8 (b) A person that is found liable for a civil penalty under (a) of this section
9 shall also be liable to the department for the department's costs and expenses for
10 investigating and prosecuting the matter, including reasonable attorney fees."

11

12 Renumber the following bill sections accordingly.

13

14 Page 54, line 18:

15 Delete "AS 06.55.605, as amended by sec. 37"

16 Insert "AS 06.55.605(b), enacted by sec. 38"

17

18 Page 55, line 14:

19 Delete "AS 06.55.605, as amended by sec. 37"

20 Insert "AS 06.55.605(b), enacted by sec. 38"

21

22 Page 55, line 15:

23 Delete "sec. 65"

1 Insert "sec. 66"

2

3 Page 55, line 17:

4 Delete "Section 68"

5 Insert "Section 69"

6

7 Page 55, line 18:

8 Delete "sec. 70"

9 Insert "sec. 71"

AMENDMENT #6

OFFERED IN THE HOUSE
TO: CSSB 86(FIN)

BY REPRESENTATIVE Stapp

1 Page 1, line 10, following "licenses;":

2 Insert "relating to abandoned virtual currency;"

3

4 Page 2, line 3, following "of":

5 Insert "secs. 1 - 63 and 73 - 76 of"

6

7 Page 54, following line 11:

8 Insert new bill sections to read:

9 **** Sec. 64.** AS 34.45 is amended by adding a new section to read:

10 **Sec. 34.45.165. Virtual currency.** (a) Virtual currency is presumed abandoned
11 five years after the later of the following:

12 (1) the date on which the holder of the virtual currency last sends a
13 written or electronic communication to the apparent owner that is returned as
14 undeliverable; or

15 (2) the date on which the apparent owner last exercises an act of
16 ownership in the virtual currency.

17 (b) The presumption in (a) of this section does not apply if the apparent owner
18 sends a written or electronic communication to the holder of the virtual currency in the
19 preceding five years.

20 (c) In this section, "an act of ownership in the virtual currency" includes

21 (1) performing a transaction using the virtual currency or account in
22 which the virtual currency is held, including buying or selling the virtual currency or
23 making deposits into or withdrawals from the account;

1 (2) electronically accessing the virtual currency or account in which
2 the virtual currency is held;

3 (3) performing an activity using another virtual currency or account in
4 which the virtual currency is held that is owned by the apparent owner if the holder of
5 the virtual currency or account is also the holder of the other virtual currency or
6 account; or

7 (4) taking another action that reasonably demonstrates to the holder of
8 the virtual currency or account in which the virtual currency is held that the apparent
9 owner knows the property exists.

10 * **Sec. 65.** AS 34.45.280(b) is amended to read:

11 (b) The report must be made on a form bearing a notice that statements are
12 made under penalty of unsworn falsification and must include

13 (1) except with respect to traveler's checks and money orders, the
14 name, if known, and last known address, if any, of each person appearing from the
15 records of the holder to be the owner of property, the value of which is \$100 or more,
16 presumed abandoned under AS 34.45.110 - 34.45.430 and other statutes specifically
17 made subject to this reporting requirement;

18 (2) in the case of unclaimed money amounting to \$100 or more, held
19 or owing under a life or endowment insurance policy or annuity contract, the full name
20 and last known address of the insured or annuitant and of the beneficiary or other
21 person who is entitled to the proceeds according to the records of the insurance
22 company holding or owing the funds;

23 (3) in the case of the contents of a safe deposit box or other
24 safekeeping repository or of other tangible personal property, a description of the
25 property and the place where it is held and may be inspected by the department and
26 any amounts owing to the holder;

27 **(4) in the case of virtual currency, the type of virtual currency,**
28 **quantity of virtual currency, valuation of the virtual currency in dollars on the**
29 **date that the virtual currency was presumed abandoned, and whether the holder**
30 **of the virtual currency has full control of the necessary private keys required to**
31 **transfer the virtual currency;**

1 **(5)** [(4)] the nature and identifying number, if any, or description of the
2 property and the amount appearing from the records to be due; items of value under
3 \$100 each may be reported in the aggregate;

4 **(6)** [(5)] the date the property became payable, demandable, or
5 returnable, and the date of the last transaction with the apparent owner with respect to
6 the property; and

7 **(7)** [(6)] other information that the department prescribes by regulation
8 as necessary for the administration of this chapter.

9 * **Sec. 66.** AS 34.45.320(a) is amended to read:

10 (a) Except as otherwise provided in (b) **or (e)** of this section, a person who is
11 required to file a report under AS 34.45.280, shall, at the time of filing the report
12 under that section, pay or deliver to the administrator all of the property shown on the
13 report and remaining unclaimed by the apparent owner. Upon written request showing
14 good cause, the administrator may postpone the payment or delivery upon the terms or
15 conditions the administrator considers necessary and appropriate. The property paid or
16 delivered to the administrator must include all interest, dividends, increments, and
17 accretions due, payable, or distributable on the property at the time of filing the report.
18 If payment or delivery is postponed, the property paid or delivered to the administrator
19 must include all interest, dividends, increments, and accretions due, payable, or
20 distributable on the day that the property is paid or delivered to the administrator.

21 * **Sec. 67.** AS 34.45.320 is amended by adding a new subsection to read:

22 (e) The holder of a virtual currency shall pay or deliver the virtual currency to
23 the administrator in the native form of the virtual currency. If the holder is unable to
24 pay or deliver the virtual currency to the administrator, the holder shall maintain
25 possession of the virtual currency until the holder is able to pay or deliver the virtual
26 currency, the requirements under (b) of this section are met, or an election not to
27 receive custody of the virtual currency is made by the department under
28 AS 34.45.410(a). If payment or delivery of the virtual currency to the administrator is
29 not practical or the administrator holding the virtual currency is uneconomical despite
30 the best efforts of the administrator, the administrator may postpone delivery of the
31 virtual currency upon the terms or conditions the administrator considers necessary

1 and appropriate.

2 * **Sec. 68.** AS 34.45.380 is amended by adding a new subsection to read:

3 (g) If a holder is in possession of virtual currency because payment or delivery
4 was postponed under AS 34.45.320(a) or (e), a person, excluding another state,
5 claiming an interest in the virtual currency may file a claim in the form and bearing
6 the notice required under (a) of this section. If the claim is allowed and the holder is
7 able to pay or deliver the virtual currency, the holder shall pay or deliver the virtual
8 currency to the claimant upon receiving notice from the department. If the holder pays
9 or delivers the virtual currency to the claimant in good faith under this subsection and
10 another person subsequently claims the virtual currency from the holder or another
11 state claims the virtual currency under the laws of the other state relating to escheat or
12 unclaimed property, the department shall defend the holder against the claim and
13 indemnify the holder against liability on the claim upon receiving written notice of the
14 claim.

15 * **Sec. 69.** AS 34.45.390(c) is amended to read:

16 (c) The department shall require a state, before recovering property under this
17 section, to agree to indemnify this state, this state's [AND ITS] officers and
18 employees, and, if applicable, a holder paying or delivering possession of virtual
19 currency under (d) of this section against liability on a claim for the property.

20 * **Sec. 70.** AS 34.45.390 is amended by adding a new subsection to read:

21 (d) If a holder is in possession of virtual currency because payment or delivery
22 was postponed under AS 34.45.320(a) or (e), another state may make a claim to
23 recover abandoned virtual currency in the form required under (b) of this section. The
24 department shall allow the claim if the department determines that the other state is
25 entitled to the abandoned virtual currency under (a) of this section. If the claim is
26 allowed and the holder is able to pay or deliver the virtual currency, the holder shall
27 pay or deliver possession of the virtual currency to the other state upon receiving
28 notice from the department.

29 * **Sec. 71.** AS 34.45.760(11) is amended to read:

30 (11) "intangible property"

31 (A) includes

1 (i) money, checks, drafts, warrants, deposits, interest,
2 dividends, [AND] income, **and virtual currency**;

3 (ii) credit balances, customer overpayments, gift
4 certificates, security deposits, refunds, credit memos, unpaid wages,
5 and unidentified remittances;

6 (iii) stocks and other intangible equity interests in
7 business associations;

8 (iv) money deposited to redeem stocks, bonds, coupons,
9 and other securities, or to make distributions;

10 (v) amounts due and payable under the terms of
11 insurance policies;

12 (vi) amounts distributable from a trust or custodial fund
13 established under a plan to provide health, welfare, pension, vacation,
14 severance, retirement, death, stock purchase, profit-sharing, employee
15 savings, supplemental unemployment insurance, or similar benefits;
16 and

17 (vii) amounts due and payable as mineral proceeds;

18 (B) does not include

19 (i) unused airline tickets;

20 (ii) shares of stock issued by a corporation organized
21 under 43 U.S.C. 1601 et seq. (Alaska Native Claims Settlement Act) or
22 unclaimed dividends payable on the shares of stock; or

23 (iii) overpaid contributions by employers to the
24 unemployment compensation fund under AS 23.20.130;

25 * **Sec. 72.** AS 34.45.760 is amended by adding new paragraphs to read:

26 (20) "blockchain" includes data that is

27 (A) shared across a peer-to-peer network to create a ledger of
28 verified transactions or information among network participants that is
29 linked together using cryptography to maintain the integrity of the
30 ledger and execute other functions; or

31 (B) distributed among network participants automatically to

1 concurrently update the network participants on the state of a ledger
2 and other functions;

3 (21) "private key" means a unique element of cryptographic data used
4 for signing transactions on a blockchain and that is known to the owner of the
5 element;

6 (22) "virtual currency" has the meaning given in AS 06.55.990."
7

8 Renumber the following bill sections accordingly.

9

10 Page 54, line 25, following "by":

11 Insert "secs. 1 - 63 and 73 - 76 of"

12

13 Page 54, line 26, following "notwithstanding":

14 Insert "secs. 1 - 63 and 73 - 76 of"

15

16 Page 55, line 8, following "REGULATIONS.":

17 Insert "(a)"

18

19 Page 55, line 9, following "by":

20 Insert "secs. 1 - 63 and 73 - 76 of"

21

22 Page 55, following line 11:

23 Insert a new subsection to read:

24 "(b) The Department of Revenue may adopt regulations necessary to implement the
25 changes made by secs. 64 - 72 of this Act. The regulations take effect under AS 44.62
26 (Administrative Procedure Act), but not before the effective date of the law implemented by
27 the regulation."
28

28

29 Page 55, line 15:

30 Delete "sec. 65"

31 Insert "sec. 74"

1

2 Page 55, line 17:

3 Delete "Section 68"

4 Insert "Section 77"

5

6 Page 55, line 18:

7 Delete "Except as provided in sec. 70 of this Act, this Act takes"

8 Insert "Sections 1 - 63 and 73 - 76 of this Act take"