

April 5, 2001

S 890. MONEY TRANSMITTERS ACT. TO REVISE THE NORTH CAROLINA MONEY TRANSMITTERS ACT, ARTICLE 16 OF CHAPTER 53 OF THE GENERAL STATUTES.

Replaces existing Art. 16 of GS Ch. 53 with new Art. 16A. Establishes licensing and regulatory program for those engaged in sale or issuance of payment instruments (such as money orders or travelers checks) and those engaged in the business of receiving money for transmission within the US or abroad. Requires a license from the Comm'r of Banks to engage in this business within the state (including making an internet website available to persons within the state). Federal, state, and local governments are exempt, as are banks, credit unions, and savings and loan associations. Sets license qualifications, application procedures, bonding requirements, and application fees (\$500 investigation fee, \$1,000 plus \$10 per location annual application fee (location fee not to exceed \$5,000). Provides for reports, examinations, and record keeping by licensees. Regulates those acting as authorized delegates of licensees. Provides for administrative hearings and enforcement procedures (civil penalties not to exceed \$1,000 per violation, injunctive relief, and criminal penalties of a Class J felony for money transmission without a license, a Class I felony for false statements with an intent to deceive in filings, and Class 1 misdemeanor for any other violation). Authorizes Banking Comm'n to adopt implementing rules and designates Sec'y of State to serve as licensee's agent for accepting service of process. Makes other conforming amendments. Effective Oct. 1, 2001, and applies to contracts entered into on or after that date.

Intro. by Hagen.

Ref. to Judiciary II	GS 53
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May 16, 2001

S 890. MONEY TRANSMITTERS ACT. Intro. 4/5/01. Senate committee substitute makes the following changes to 1st edition. The original bill adds a new Article 16A ("Money Transmitters Act") to GS Ch. 53. The original bill provided in new GS 53-208.26 that knowing and willful violations of new act constituted Class J felonies. This committee substitute makes them Class I felonies. The committee substitute also removes a technical correction the original bill made in GS 54-73.

July 30, 2001

S 890. MONEY TRANSMITTERS ACT. Intro. 4/5/01. Senate committee substitute makes the following changes to 2nd edition. Amends new GS 53-208.4 to delete language that limited exemption of banks, credit unions, savings and loan associations, and similar institutions to those that "do not issue or sell payment instruments through authorized delegates that are not banks, bank holding companies, credit unions, savings and loan associations, savings banks, or mutual banks." Makes other technical changes.