

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 1

COMMITTEE AMENDMENT

(Date)

I move to amend Senate Bill No. 1083 by substituting the attached floor substitute (Request #1965) for the title, enacting clause, and entire body of the measure.

Submitted by:

R. Darrell Weaver
Senator Weaver

I hereby grant permission for the floor substitute to be adopted.

[Signature]
Senator Seifried, Chair (required)

[Signature]
Senator Gillespie

[Signature]
Senator Jeon

[Signature]
Senator Gollihare
Senator Hicks

[Signature]
Senator Boren
Senator Bullard

[Signature]
Senator Rosino

Senator Paxton, President Pro Tempore

Senator Daniels, Majority Floor Leader

Note: Technology and Telecommunications committee majority requires five (5) members' signatures.

Weaver-CN-FS-SB1083
3/26/2025 8:36 AM

(Floor Amendments Only)

Date and Time Filed: 3-26-25 11:30AM EW

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1083

6 By: Weaver of the Senate

7 and

8 Lepak of the House

9 FLOOR SUBSTITUTE

10 [digital assets - kiosks - licensure - disclosures
11 - receipt - transactions - customer services -
12 promulgation of rules - codification - effective
13 date]

14
15
16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1520 of Title 6, unless there is
19 created a duplication in numbering, reads as follows:

20 As used in this act:

21 1. "Blockchain analytics" means the analysis of data from
22 blockchains or publicly distributed ledgers including, but not
23 limited to, associated transaction information;

1 2. "Blockchain technology" means the same as defined in Section
2 1359 of Title 68 of the Oklahoma Statutes;

3 3. "Currency" means the same as defined in Section 1512 of
4 Title 6 of the Oklahoma Statutes;

5 4. "Digital assets" means the same as defined in Section 1359
6 of Title 68 of the Oklahoma Statutes;

7 5. "Digital asset address" means an alphanumeric identifier
8 associated with a digital asset wallet identifying the location to
9 which a digital asset transaction can be sent;

10 6. "Digital asset wallet" means a software application or other
11 mechanism providing a means to hold, store, or transfer digital
12 assets;

13 7. "Digital asset kiosk" means an electronic terminal acting as
14 a mechanical agent of the digital asset kiosk operator to enable the
15 digital asset kiosk operator to facilitate the exchange of digital
16 assets for money, bank credit, or other digital asset including, but
17 not limited to:

18 a. connecting directly to a separate digital asset
19 exchange that performs the actual digital asset
20 transmission, or

21 b. drawing upon the digital asset in the possession of
22 the electronic terminal's operator;

23

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1 8. "Digital asset kiosk operator" means a person or entity that
2 owns, operates, or manages a digital asset kiosk located in this
3 state offering digital asset kiosk transactions;

4 9. "Digital asset kiosk transaction" means a transaction
5 conducted or performed, in whole or in part, by electronic means via
6 a digital asset kiosk. Digital asset kiosk transaction shall also
7 mean a transaction made at a digital asset kiosk to purchase digital
8 assets with currency or to sell digital assets for currency;

9 10. "New customer" means an individual who has never previously
10 transacted with a digital asset kiosk operator. The new customer
11 shall remain defined as such during the seventy-two (72) hours after
12 the first financial transaction with the digital asset kiosk
13 operator; and

14 11. "Transaction hash" means a unique identifier made up of a
15 string of characters that acts as a record of and provides proof
16 that the transaction was verified and added to the blockchain.

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1520.1 of Title 6, unless there
19 is created a duplication in numbering, reads as follows:

20 A. A digital asset kiosk operator shall not engage in digital
21 asset kiosk transactions or hold itself out as being able to engage
22 in digital asset kiosk transactions with or on behalf of another
23 person unless the digital asset kiosk operator is licensed in this
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1 state as a money transmitter pursuant to the Oklahoma Financial
2 Transaction Reporting Act.

3 1. Any digital asset kiosk operator acting in violation of this
4 subsection shall, upon conviction, be guilty of a misdemeanor,
5 punishable by a fine not less than Six Hundred Dollars (\$600.00) nor
6 more than Two Thousand Dollars (\$2,000.00) per violation, or by
7 imprisonment in the county jail for not less than thirty (30) days
8 nor more than one (1) year, or by both such fine and imprisonment.

9 2. Any digital asset kiosk which is used by a digital asset
10 kiosk operator in violation of this subsection may be seized at the
11 direction of the Attorney General by any commissioned peace officer
12 in this state. The procedures set forth in Section 1738 of Title 21
13 of the Oklahoma Statutes shall apply to any digital asset kiosk
14 seized under this subsection.

15 3. The Attorney General is authorized to promulgate rules to
16 effectuate the provisions of this subsection.

17 4. Any customer who has been fraudulently induced to engage in
18 digital asset transactions using a digital asset kiosk operated in
19 violation of this subsection may file a civil suit against the
20 digital asset kiosk operator for the amount of any losses sustained
21 by the customer related to such digital asset transactions.

22 B. A digital asset kiosk operator shall not locate or relocate,
23 or allow a third party to locate or relocate, a digital asset kiosk
24 in this state unless the digital asset kiosk operator has provided

1 notice of intent to locate or relocate a digital asset kiosk to the
2 Banking Department no less than ten (10) days prior to its
3 activation. The notice to the Banking Department shall contain the
4 same information for the digital asset kiosk to be located or
5 relocated as is required in the quarterly location report pursuant to
6 subsection C of this section.

7 C. Each digital asset kiosk operator shall submit a quarterly
8 report of the location of each digital asset kiosk located within
9 this state within forty-five (45) days of the end of the calendar
10 quarter. The location report shall include:

- 11 1. The company's legal name;
- 12 2. Any fictitious or trade name;
- 13 3. The physical address;
- 14 4. The start date of operation of the digital asset kiosk at
15 each location; and
- 16 5. The end date of operation of the digital asset kiosk at each
17 location, if applicable.

18 D. A digital asset kiosk operator shall disclose in a clear,
19 conspicuous, and easily readable manner in the chosen language of
20 the customer all relevant terms and conditions generally associated
21 with the products, services, and activities of the digital asset
22 kiosk operator and digital assets.

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1 1. The digital asset kiosk operator shall receive
2 acknowledgement of receipt of all disclosures required under this
3 act through confirmation of consent.

4 2. The disclosures under this act shall include:

5 a. a warning, written prominently and in bold type, and
6 provided separately from the disclosures below,
7 stating: "WARNING: LOSSES DUE TO FRAUDULENT OR
8 ACCIDENTAL TRANSACTIONS ARE NOT RECOVERABLE AND
9 TRANSACTIONS IN DIGITAL ASSETS ARE IRREVERSIBLE.
10 DIGITAL ASSET TRANSACTIONS MAY BE USED TO STEAL YOUR
11 MONEY BY CRIMINALS IMPERSONATING THE GOVERNMENT,
12 ORGANIZATIONS, OR YOUR LOVED ONES. THEY CAN THREATEN
13 JAIL TIME, SAY YOUR IDENTITY HAS BEEN STOLEN, ALLEGE
14 YOUR COMPUTER HAS BEEN HACKED, INSIST YOU WITHDRAW
15 MONEY FROM YOUR BANK ACCOUNT TO PURCHASE DIGITAL
16 ASSETS, OR A NUMBER OF OTHER SCAMS. IF YOU BELIEVE
17 YOU ARE BEING SCAMMED, CALL YOUR LOCAL LAW
18 ENFORCEMENT.",

19 b. the material risks associated with digital assets and
20 digital asset transactions including, but not limited
21 to:

22 (1) a warning that once completed, the transaction
23 may not be reversed,

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- 1 (2) the digital asset kiosk operator's liability for
2 unauthorized digital asset transactions,
3 (3) the digital asset customer's liability for
4 unauthorized currency transactions,
5 (4) that digital assets are not legal tender, backed
6 or insured by the government, and accounts and
7 value balances are not subject to Federal Deposit
8 Insurance Corporation, National Credit Union
9 Administration, or Securities Investor Protection
10 Corporation protections,
11 (5) that some digital asset transactions are deemed
12 to be made when recorded on a public ledger,
13 which may not be the date or time when the person
14 initiates the transaction,
15 (6) that a digital asset's value may be derived from
16 market participants' continued willingness to
17 exchange currency for digital assets, which may
18 result in the permanent and total loss of a
19 particular digital asset's value if the market
20 for digital assets disappears,
21 (7) that a person who accepts a digital asset as
22 payment today is not required to accept and might
23 not accept a digital asset in the future,
24

1 (8) that the volatility and unpredictability of the
2 price of digital assets relative to currency may
3 result in a significant loss over a short period,

4 (9) that the nature of digital assets means that any
5 technological difficulties experienced by digital
6 asset kiosk operators may prevent access to or
7 use of a person's digital assets, and

8 (10) that any bond maintained by the digital asset
9 kiosk operator for the benefit of a person may
10 not cover all losses a person incurs,

11 c. the amount of the transaction denominated in United
12 States dollars as well as the applicable digital
13 assets,

14 d. any fees or expenses charged by the digital asset
15 kiosk operator,

16 e. any applicable exchange rates,

17 f. a daily digital asset transaction limit no more than
18 Two Thousand Dollars (\$2,000.00) for new customers,

19 g. notice of a change in the digital asset kiosk
20 operator's rules or policies,

21 h. the name, address, and telephone number of the owner
22 of the digital asset kiosk and the days, time, and
23 means by which a consumer can contact the owner for
24 customer assistance, displayed on or at the location

1 of the digital asset kiosk, or on the first screen of
2 the digital asset kiosk,

3 i. under what circumstances the digital asset kiosk
4 operator, without a court or government order,
5 discloses a person's account information to third
6 parties, and

7 j. other disclosures that are customarily given in
8 connection with a digital asset transaction.

9 E. Upon each transaction's completion, the digital asset kiosk
10 operator shall provide the customer with a physical receipt in the
11 language chosen by the customer containing the following
12 information:

13 1. The digital asset kiosk operator's name and contact
14 information, including a telephone number to answer questions and
15 register complaints;

16 2. The type, value, date, and precise time of the transaction,
17 transaction hash, and each applicable digital asset address;

18 3. All fees charged;

19 4. The exchange rate of the digital asset to United States
20 dollars;

21 5. A statement of the digital asset kiosk operator's liability
22 for non-delivery or delayed delivery; and

23 6. A statement of the digital asset kiosk operator's refund
24 policy.

1 F. All digital asset kiosk operators shall use blockchain
2 technology to assist in the prevention of sending purchased digital
3 assets from a digital asset kiosk operator to a digital asset wallet
4 known to be affiliated with fraudulent activity at the time of a
5 transaction. The Banking Department may request evidence from any
6 digital asset kiosk operator of the current use of blockchain
7 analytics.

8 1. All digital asset kiosk operators shall take reasonable
9 steps to detect and prevent fraud, including establishing and
10 maintaining a written anti-fraud policy including, but not limited
11 to:

- 12 a. the identification and assessment of fraud-related
13 risk areas,
- 14 b. procedures and controls to protect against identified
15 risks,
- 16 c. allocation of responsibility for monitoring risks, and
- 17 d. procedures for the periodic evaluation and revision of
18 the anti-fraud procedures, controls, and monitoring
19 mechanisms.

20 2. Each digital asset kiosk operator shall designate and employ
21 a compliance officer with the following requirements:

- 22 a. the individual shall be qualified to coordinate and
23 monitor compliance with this act and all other
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1 applicable federal and state laws, rules, and
2 regulations,

3 b. the individual shall be employed full-time by the
4 digital asset kiosk operator,

5 c. the designated compliance officer cannot be any
6 individual who owns more than twenty percent (20%) of
7 the digital asset kiosk operator by whom the
8 individual is employed, and

9 d. compliance responsibilities required under federal and
10 state laws, rules, and regulations shall be completed
11 by full-time employees of the digital asset kiosk
12 operator.

13 3. A digital asset kiosk operator shall issue a refund to a new
14 customer for the full amount of all fraudulent transactions,
15 including all transaction fees and charges that were charged to the
16 customer pursuant to subsection H of this section, made while a new
17 customer. To receive a refund under this section, a new customer
18 shall have been fraudulently induced to engage in the digital asset
19 transactions and shall contact the digital asset kiosk operator and
20 the Office of the Attorney General to report the fraudulent nature
21 of the transactions within fourteen (14) days of the last fraudulent
22 transaction to occur while the customer was a new customer.

23 4. A digital asset kiosk operator shall issue a refund to an
24 existing customer who qualifies under this paragraph for the full

1 amount of all transaction fees and charges that were charged to the
2 customer pursuant to subsection H of this section upon the request
3 of the customer. To receive a refund under this paragraph, a
4 customer shall have been fraudulently induced to engage in digital
5 asset transactions and shall contact the digital asset kiosk
6 operator and the Office of the Attorney General to report the
7 fraudulent nature of the transaction within fourteen (14) days of
8 the transaction.

9 G. A digital asset kiosk operator shall not accept transactions
10 more than Two Thousand Dollars (\$2,000.00), or the equivalent in
11 digital assets, in a single day in connection with digital asset
12 kiosk transactions with a new customer in this state by one or more
13 digital asset kiosks.

14 H. The aggregate fees and charges directly or indirectly
15 charged to a customer related to a single transaction or series of
16 related transactions involving digital assets effected through a
17 digital asset kiosk in this state, including any difference between
18 the price charged to a customer to buy, sell, exchange, swap, or
19 convert digital assets and the prevailing market value of such
20 digital assets at the time of such transaction, shall not exceed
21 fifteen percent (15%) of the United States dollar equivalent of the
22 digital assets involved in the transaction or transactions.

23 I. All digital asset kiosk operators performing business in
24 this state shall provide live customer service at a minimum Monday

1 through Friday from 8:00 am CST to 10:00 pm CST. The customer
2 service toll-free number shall be displayed on the digital asset
3 kiosk or the digital asset kiosk screens.

4 J. The Banking Department is authorized to promulgate rules
5 necessary to implement the provisions of this act.

6 SECTION 3. This act shall become effective November 1, 2025.

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8 60-1-1965 CN 3/26/2025 11:47:52 AM

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