

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3351

By: Terrill

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6 AS INTRODUCED

7 An Act relating to wire transfers; amending Section
8 3, Chapter 57, O.S.L. 2006 (6 O.S. Supp. 2007,
9 Section 1513), which relates to the Oklahoma
10 Financial Transaction Reporting Act; clarifying scope
11 of certain prohibited act; making certain acts
12 unlawful; providing penalties; directing distribution
13 of fines to certain entity and certain revolving
14 funds; and providing an effective date.

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

16 SECTION 1. AMENDATORY Section 3, Chapter 57, O.S.L. 2006
17 (6 O.S. Supp. 2007, Section 1513), is amended to read as follows:

18 Section 1513. A. No person shall engage in the money services
19 business in this state without first filing a registration
20 application on a form prescribed by the Commissioner and securing a
21 license to do so from the Commissioner.

22 B. Upon the effective date of this act, a supplier shall
23 provide to the Commissioner, on a form prescribed by the
24 Commissioner, a list of each person to whom money transmitter
equipment has been provided. The list shall be updated each
calendar quarter and shall be provided to the Commissioner within

1 thirty (30) days after the close of the calendar quarter. The
2 updated list shall reflect any additional persons to whom money
3 transmitter equipment has been provided since the last reporting
4 period. The list need only identify those persons for whom the
5 supplier has an address in this state or who the supplier reasonably
6 believes to be operating in this state.

7 C. Unless a different fee is otherwise promulgated by the
8 Board, each registration application filed under this section must
9 be accompanied by a fee in an amount equal to that required under
10 subsection B of Section 104 of ~~Title 6 of the Oklahoma Statutes~~ this
11 title. Any person conducting a money services business at more than
12 one location shall secure a separate license for each location.

13 D. Any person who violates the provisions of this section and
14 transmits up to Twenty-five Thousand Dollars (\$25,000.00) shall,
15 upon conviction, be guilty of a misdemeanor punishable by a fine of
16 not less than One Thousand Dollars (\$1,000.00), or by imprisonment
17 in the county jail for not more than one (1) year, or by both such
18 fine and imprisonment. Each day that any violation of this ~~section~~
19 subsection occurs or continues shall constitute a separate offense
20 and shall be punishable as a separate violation.

21 E. Any person who violates the provisions of this section and
22 transmits in excess of Twenty-five Thousand Dollars (\$25,000.00)
23 shall, upon conviction, be guilty of a felony punishable by a fine
24 of not less than Five Thousand Dollars (\$5,000.00), or by

1 imprisonment in the custody of the Department of Corrections for not
2 more than five (5) years, or by both such fine and imprisonment.
3 Each day that any violation of this subsection occurs or continues
4 shall constitute a separate offense and shall be punishable as a
5 separate violation.

6 F. Any person who violates the provisions of this section for
7 the purpose of transmitting monies, securities or negotiable
8 instruments traceable to proceeds or funds intended to be used or
9 used in any manner to facilitate or receive benefit from a violation
10 of the Uniform Controlled Dangerous Substances Act or for the
11 purpose of avoiding federal or state reporting guidelines shall,
12 upon conviction, be guilty of a felony punishable by a fine of not
13 less than Ten Thousand Dollars (\$10,000.00), or by imprisonment in
14 the custody of the Department of Corrections for not more than
15 twenty (20) years, or by both such fine and imprisonment. Each day
16 that any violation of this subsection occurs or continues shall
17 constitute a separate offense and shall be punishable as a separate
18 violation.

19 G. All fees and fines collected under this section shall be
20 distributed as follows:

21 1. Fifty percent (50%) to the district attorney of the county
22 wherein the conviction occurred;
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1 2. Twenty-five percent (25%) to be deposited in the Oklahoma
2 State Banking Department revolving fund pursuant to Section 211.1 of
3 Title 6 of the Oklahoma Statutes this title; and

4 3. Twenty-five percent (25%) to the Bureau of Narcotics
5 Revolving Fund pursuant to Section 2-107 of Title 63 of the Oklahoma
6 Statutes.

7 SECTION 2. This act shall become effective November 1, 2008.

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9 51-2-9595 GRS 12/28/07

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