

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1083

By: Weaver of the Senate

and

Lepak of the House

8
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10 COMMITTEE SUBSTITUTE

11 An Act relating to digital assets; providing
12 definitions; requiring a license for digital asset
13 kiosk operators to engage in transactions; providing
14 penalties for violation; authorizing the Attorney
15 General to promulgate rules; permitting civil suits
16 against digital asset kiosk operators; requiring
17 notice before location or relocation of a digital
18 asset kiosk; requiring digital asset kiosk operators
19 to submit a quarterly report; requiring digital asset
20 kiosk operators to disclose terms and conditions;
21 requiring digital asset kiosk operators to provide a
22 receipt upon each transaction's completion; providing
23 requirement if paper receipt is not possible;
24 directing all digital asset kiosk operators to use
 blockchain technology; prohibiting a digital asset
 kiosk operator to accept certain transactions
 equaling more than Two Thousand Dollars, or the
 equivalent in digital assets in a single day;
 limiting fees and charges; requiring live customer
 support during certain hours; permitting the Banking
 Department to promulgate rules; and providing an
 effective date.

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

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

4 As used in this act:

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

8 2. "Blockchain technology" means the same as defined in Section
9 1359 of Title 68 of the Oklahoma Statutes;

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

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

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

17 6. "Digital asset wallet" means a software application or other
18 mechanism providing a means to hold, store, or transfer digital
19 assets;

20 7. "Digital asset kiosk" means an electronic terminal acting as
21 a mechanical agent of the digital asset kiosk operator to enable the
22 digital asset kiosk operator to facilitate the exchange of digital
23 assets for money, bank credit, or other digital asset including, but
24 not limited to:

1 a. connecting directly to a separate digital asset
2 exchange that performs the actual digital asset
3 transmission, or

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

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

9 9. "Digital asset kiosk transaction" means a transaction
10 conducted or performed, in whole or in part, by electronic means via
11 a digital asset kiosk. Digital asset kiosk transaction shall also
12 mean a transaction made at a digital asset kiosk to purchase digital
13 assets with currency or to sell digital assets for currency;

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

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

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

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

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

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

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

21 4. Any customer who has been fraudulently induced to engage in
22 digital asset transactions using a digital asset kiosk operated in
23 violation of this subsection may file a civil suit against the
24

1 digital asset kiosk operator for the amount of any losses sustained
2 by the customer related to such digital asset transactions.

3 B. A digital asset kiosk operator shall not locate or relocate,
4 or allow a third party to locate or relocate, a digital asset kiosk
5 in this state unless the digital asset kiosk operator has provided
6 notice of intent to locate or relocate a digital asset kiosk to the
7 Banking Department no less than ten (10) days prior to its
8 activation. The notice to the Banking Department shall contain the
9 same information for the digital asset kiosk to be located or
10 relocated as is required in the quarterly location report pursuant to
11 subsection C of this section.

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

- 16 1. The company's legal name;
- 17 2. Any fictitious or trade name;
- 18 3. The physical address;
- 19 4. The start date of operation of the digital asset kiosk at
20 each location; and
- 21 5. The end date of operation of the digital asset kiosk at each
22 location, if applicable.

23 D. A digital asset kiosk operator shall disclose in a clear,
24 conspicuous, and easily readable manner in the chosen language of

1 the customer all relevant terms and conditions generally associated
2 with the products, services, and activities of the digital asset
3 kiosk operator and digital assets.

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

7 2. The disclosures under this act shall include:

- 8 a. a warning, written prominently and in bold type, and
9 provided separately from the disclosures below,
10 stating: "WARNING: LOSSES DUE TO FRAUDULENT OR
11 ACCIDENTAL TRANSACTIONS ARE NOT RECOVERABLE AND
12 TRANSACTIONS IN DIGITAL ASSETS ARE IRREVERSIBLE.
13 DIGITAL ASSET TRANSACTIONS MAY BE USED TO STEAL YOUR
14 MONEY BY CRIMINALS IMPERSONATING THE GOVERNMENT,
15 ORGANIZATIONS, OR YOUR LOVED ONES. THEY CAN THREATEN
16 JAIL TIME, SAY YOUR IDENTITY HAS BEEN STOLEN, ALLEGE
17 YOUR COMPUTER HAS BEEN HACKED, INSIST YOU WITHDRAW
18 MONEY FROM YOUR BANK ACCOUNT TO PURCHASE DIGITAL
19 ASSETS, OR A NUMBER OF OTHER SCAMS. IF YOU BELIEVE
20 YOU ARE BEING SCAMMED, CALL YOUR LOCAL LAW
21 ENFORCEMENT.",
22 b. the material risks associated with digital assets and
23 digital asset transactions including, but not limited
24 to:

- (1) a warning that once completed, the transaction may not be reversed,
- (2) the digital asset kiosk operator's liability for unauthorized digital asset transactions,
- (3) the digital asset customer's liability for unauthorized currency transactions,
- (4) that digital assets are not legal tender, backed or insured by the government, and accounts and value balances are not subject to Federal Deposit Insurance Corporation, National Credit Union Administration, or Securities Investor Protection Corporation protections,
- (5) that some digital asset transactions are deemed to be made when recorded on a public ledger, which may not be the date or time when the person initiates the transaction,
- (6) that a digital asset's value may be derived from market participants' continued willingness to exchange currency for digital assets, which may result in the permanent and total loss of a particular digital asset's value if the market for digital assets disappears,

- (7) that a person who accepts a digital asset as payment today is not required to accept and might not accept a digital asset in the future,
- (8) that the volatility and unpredictability of the price of digital assets relative to currency may result in a significant loss over a short period,
- (9) that the nature of digital assets means that any technological difficulties experienced by digital asset kiosk operators may prevent access to or use of a person's digital assets, and
- (10) that any bond maintained by the digital asset kiosk operator for the benefit of a person may not cover all losses a person incurs,
- c. the amount of the transaction denominated in United States dollars as well as the applicable digital assets,
- d. any fees or expenses charged by the digital asset kiosk operator,
- e. any applicable exchange rates,
- f. a daily digital asset transaction limit no more than Two Thousand Dollars (\$2,000.00) for new customers,
- g. notice of a change in the digital asset kiosk operator's rules or policies,

- 1 h. the name, address, and telephone number of the owner
2 of the digital asset kiosk and the days, time, and
3 means by which a consumer can contact the owner for
4 customer assistance, displayed on or at the location
5 of the digital asset kiosk, or on the first screen of
6 the digital asset kiosk,
- 7 i. under what circumstances the digital asset kiosk
8 operator, without a court or government order,
9 discloses a person's account information to third
10 parties, and
- 11 j. other disclosures that are customarily given in
12 connection with a digital asset transaction.

13 E. Upon each transaction's completion, the digital asset kiosk
14 operator shall provide the customer with a receipt, in paper where
15 possible, in the language chosen by the customer containing the
16 following information:

- 17 1. The digital asset kiosk operator's name and contact
18 information, including a telephone number to answer questions and
19 register complaints;
- 20 2. The type, value, date, and precise time of the transaction,
21 transaction hash, and each applicable digital asset address;
- 22 3. All fees charged;
- 23 4. The exchange rate of the digital asset to United States
24 dollars;

1 5. A statement of the digital asset kiosk operator's liability
2 for nondelivery or delayed delivery; and

3 6. A statement of the digital asset kiosk operator's refund
4 policy.

5 F. In the event that a paper receipt is not possible, the
6 digital asset kiosk operator shall post in a conspicuous manner
7 information by which a customer who has engaged in a digital asset
8 kiosk transaction can contact the digital asset kiosk operator to
9 obtain a copy of the receipt.

10 G. All digital asset kiosk operators shall use blockchain
11 technology to assist in the prevention of sending purchased digital
12 assets from a digital asset kiosk operator to a digital asset wallet
13 known to be affiliated with fraudulent activity at the time of a
14 transaction. The Banking Department may request evidence from any
15 digital asset kiosk operator of the current use of blockchain
16 analytics.

17 1. All digital asset kiosk operators shall take reasonable
18 steps to detect and prevent fraud, including establishing and
19 maintaining a written anti-fraud policy including, but not limited
20 to:

21 a. the identification and assessment of fraud-related
22 risk areas,

23 b. procedures and controls to protect against identified
24 risks,

- c. allocation of responsibility for monitoring risks, and
- d. procedures for the periodic evaluation and revision of the anti-fraud procedures, controls, and monitoring mechanisms.

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

- a. the individual shall be qualified to coordinate and monitor compliance with this act and all other applicable federal and state laws, rules, and regulations,
- b. the individual shall be employed full-time by the digital asset kiosk operator,
- c. the designated compliance officer cannot be any individual who owns more than twenty percent (20%) of the digital asset kiosk operator by whom the individual is employed, and
- d. compliance responsibilities required under federal and state laws, rules, and regulations shall be completed by full-time employees of the digital asset kiosk operator.

3. A digital asset kiosk operator shall issue a refund to a new customer for the full amount of all fraudulent transactions, including all transaction fees and charges that were charged to the customer pursuant to subsection H of this section, made while a new

1 customer. To receive a refund under this section, a new customer
2 shall have been fraudulently induced to engage in the digital asset
3 transactions and shall contact the digital asset kiosk operator and
4 the Office of the Attorney General to report the fraudulent nature
5 of the transactions within fourteen (14) days of the last fraudulent
6 transaction to occur while the customer was a new customer.

7 4. A digital asset kiosk operator shall issue a refund to an
8 existing customer who qualifies under this paragraph for the full
9 amount of all transaction fees and charges that were charged to the
10 customer pursuant to subsection H of this section upon the request
11 of the customer. To receive a refund under this paragraph, a
12 customer shall have been fraudulently induced to engage in digital
13 asset transactions and shall contact the digital asset kiosk
14 operator and the Office of the Attorney General to report the
15 fraudulent nature of the transaction within fourteen (14) days of
16 the transaction.

17 H. A digital asset kiosk operator shall not accept transactions
18 more than Two Thousand Dollars (\$2,000.00), or the equivalent in
19 digital assets, in a single day in connection with digital asset
20 kiosk transactions with a new customer in this state by one or more
21 digital asset kiosks.

22 I. The aggregate fees and charges directly or indirectly
23 charged to a customer related to a single transaction or series of
24 related transactions involving digital assets effected through a

1 digital asset kiosk in this state, including any difference between
2 the price charged to a customer to buy, sell, exchange, swap, or
3 convert digital assets and the prevailing market value of such
4 digital assets at the time of such transaction, shall not exceed
5 fifteen percent (15%) of the United States dollar equivalent of the
6 digital assets involved in the transaction or transactions.

7 J. All digital asset kiosk operators performing business in
8 this state shall provide live customer service at a minimum Monday
9 through Friday from 8:00 a.m. CST to 10:00 p.m. CST. The customer
10 service toll-free number shall be displayed on the digital asset
11 kiosk or the digital asset kiosk screens.

12 K. The Banking Department is authorized to promulgate rules
13 necessary to implement the provisions of this act.

14 SECTION 3. This act shall become effective November 1, 2025.
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16 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT OVERSIGHT, dated
17 04/24/2025 - DO PASS, As Amended.
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