

**Effective 5/14/2019**

**Superseded 5/12/2020**

**7-25-102 Definitions.**

As used in this chapter:

- (1) "Applicant" means a person filing an application for a license under this chapter.
- (2) "Authorized agent" means a person designated by the licensee under this chapter to sell or issue payment instruments or engage in the business of transmitting money on behalf of a licensee.
- (3) "Blockchain" or "blockchain technology" means an electronic method of storing data that is:
  - (a) maintained by consensus of multiple unaffiliated parties;
  - (b) distributed across multiple locations; and
  - (c) mathematically verified.
- (4) "Blockchain token" means an electronic record that is:
  - (a) recorded on a blockchain; and
  - (b) capable of being traded between persons without an intermediary.
- (5) "Executive officer" means the licensee's president, chair of the executive committee, executive vice president, treasurer, chief financial officer, or any other person who performs similar functions.
- (6) "Key shareholder" means a person, or group of persons acting in concert, who is the owner of 20% or more of a class of an applicant's stock.
- (7) "Licensee" means a person licensed under this chapter.
- (8) "Material litigation" means litigation that, according to generally accepted accounting principles, is considered significant to a person's financial health and would be required to be referenced in an annual audited financial statement, report to shareholders, or similar document.
- (9)
  - (a) "Money transmission" means the sale or issuance of a payment instrument or engaging in the business of receiving money for transmission or transmitting money within the United States or to locations abroad by any and all means, including payment instrument, wire, facsimile, or electronic transfer.
  - (b) "Money transmission" does not include a blockchain token.
- (10) "Nationwide database" means the Nationwide Mortgage Licensing System and Registry, authorized under 12 U.S.C. Sec. 5101 for federal licensing of mortgage loan originators.
- (11) "Outstanding payment instrument" means a payment instrument issued by the licensee that has been sold in the United States directly by the licensee or a payment instrument issued by the licensee that has been sold and reported to the licensee as having been sold by an authorized agent of the licensee in the United States, and that has not yet been paid by or for the licensee.
- (12)
  - (a) "Payment instrument" means a check, draft, money order, travelers check, or other instrument or written order for the transmission or payment of money, sold or issued to one or more persons, whether or not the instrument is negotiable.
  - (b) "Payment instrument" does not include a credit card voucher, letter of credit, or instrument that is redeemable by the issuer in goods or services.
- (13) "Remit" means either to make direct payment of the money to the licensee or its representatives authorized to receive the money, or to deposit the money in a depository institution in an account in the name of the licensee.