



**PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS**

Matthew G. Bevin
Governor

1025 Capital Center Drive, Suite 200
Frankfort, KY 40601
Phone: (502) 573-3390
Fax: (502) 573-8787
<http://kfi.ky.gov>

K. Gail Russell
Secretary

Charles A. Vice
Commissioner

**ORDER GOVERNING THE IMPLEMENTATION OF THE NATIONWIDE
MULTISTATE LICENSING SYSTEM FOR CHECK CASHERS
AND DEFERRED DEPOSIT SERVICE BUSINESSES**

The Commissioner of the Department of Financial Institutions ("DFI") is charged with the administration of Chapter 286.9 of the Kentucky Revised Statutes, governing the conduct of check cashers and deferred deposit service businesses operating in the Commonwealth.

The Nationwide Multistate Licensing System ("NMLS") is an Internet-based filing depository operated by the State Regulatory Registry, LLC ("SRR"), a wholly-owned operating subsidiary of the Conference of State Bank Supervisors. The NMLS is designed to accept license applications made electronically by state-licensed check cashers and deferred deposit service businesses; collect associated regulatory filing fees on behalf of affected jurisdictions; and provide the public with Internet-based access to information on state-regulated check cashers and deferred deposit service businesses.

In 2019, Governor Matthew Bevin signed into law Senate Bill 145, which provides in part that the commissioner shall be authorized to require, by administrative regulation or order, that the filing of any application, report, or other documents, including any applicable fees and any supporting documentation, be submitted to the SRR, or its successor, parent, affiliate or operating subsidiary, or to other agencies or authorities as part of a nationwide licensing system.

The commissioner has determined that it is necessary and in the public interest, and consistent with the purposes fairly intended by the policy and provisions of KRS 286.9 to participate in the NMLS, to provide a uniform procedure for the electronic filing of check casher and deferred deposit service business licensing materials.

THEREFORE, the Commissioner **ORDERS** that, for the purpose of KRS 286.9-040, 050, 060, 070, 080, 090(2), 104, and 105, the web-based NMLS operated by the SRR is designated to receive license application and report filings, and to collect initial and renewal filing fees, on the commissioner's behalf in accordance with the **ORDER**, and with respect to check cashers, deferred deposit service businesses, and their agents.

Effective October 15, 2019, the Commissioner further **ORDERS** the following:

1. The license renewal periods for check cashers and deferred deposit service businesses shall be on a calendar year basis.
2. Licensees shall be required to access NMLS between November 1, 2019 and December 31, 2019 in order to transition licenses onto the NMLS system. Licensees shall be required to pay the NMLS processing fee of \$100.00.
3. Licensees shall be required to access NMLS between November 1, 2019 and December 31, 2019 to renew licenses for the calendar year 2020. For calendar years subsequent to 2020, all licensees shall follow the NMLS procedures to renew check casher and deferred deposit service business licenses.
4. Beginning November 1, 2019, all applications for a new check casher license shall be processed through NMLS. All new check casher licenses issued between November 1, 2019 and December 31, 2019 shall be effective until December 31, 2020.
5. Beginning in calendar year 2020, all licensees shall follow the NMLS procedures for the payment of all required fees through NMLS.
6. In the event a licensee must file a written report pursuant to KRS 286.9-104 and KRS 268.9-105, the licensee shall file the written report via NMLS.
7. If there is a proposed change of control of a licensee, the licensee shall follow the steps outlined in KRS 286.9-070 and submit the request for approval as well as the applicable fees via NMLS.
8. All fees shall be paid to NMLS in the form of an electronic debit or credit card, or via Automatic Clearing House ("ACH").

This **ORDER** shall remain in effect until modified, superseded, or vacated by the commissioner or other lawful authority.

This **ORDER** is in the public interest and consistent with the purposes fairly intended by the policy and provisions of KRS 286.9.

This **ORDER** is executed and entered into the official agency record this the 15th day of October, 2019.



Charles A. Vice, Commissioner
Kentucky Department of Financial Institutions