

1                   A bill to be entitled  
2           An act relating to virtual currency kiosk businesses;  
3           amending s. 560.103, F.S.; defining terms and revising  
4           the definition of the term "control person"; amending  
5           s. 560.105, F.S.; requiring the Office of Financial  
6           Regulation of the Financial Services Commission to  
7           supervise virtual currency kiosk businesses; requiring  
8           that rules adopted to regulate virtual currency kiosk  
9           businesses be responsive to certain changes; creating  
10          part V of ch. 560, F.S., entitled "Virtual Currency  
11          Kiosk Businesses"; creating s. 560.501, F.S.;  
12          providing legislative intent; creating s. 560.502,  
13          F.S.; prohibiting a virtual currency kiosk business  
14          from operating without registering or renewing its  
15          registration in accordance with certain provisions;  
16          requiring the office to make certain notifications;  
17          specifying that certain money transmitters are exempt  
18          from registration but are subject to certain  
19          provisions; requiring that certain entities that  
20          perform or prevent certain actions be licensed as  
21          money services businesses; providing criminal  
22          penalties for certain entities that operate or solicit  
23          business as a virtual currency kiosk business under  
24          certain circumstances; providing criminal penalties  
25          for persons who register or attempt to register as a

26 | virtual currency kiosk business by certain means;  
27 | providing that a virtual currency kiosk business  
28 | registration is not transferable or assignable;  
29 | creating s. 560.503, F.S.; specifying application  
30 | requirements for registering as a virtual currency  
31 | kiosk business; requiring certain virtual currency  
32 | kiosk businesses to submit an application within a  
33 | specified timeframe; requiring a registrant to report  
34 | certain changes in information within a specified  
35 | timeframe; requiring a registrant to renew its  
36 | registration within a specified timeframe; specifying  
37 | requirements for a registrant to renew its  
38 | registration; requiring that the registration of a  
39 | virtual currency kiosk business be made inactive if  
40 | such business does not renew its registration by a  
41 | certain date; specifying requirements for a virtual  
42 | currency kiosk business to renew an inactive  
43 | registration; providing that a registration becomes  
44 | null and void under certain circumstances; providing  
45 | requirements if a registration becomes null and void;  
46 | requiring the office to deny certain applications  
47 | under certain circumstances; providing that certain  
48 | false statements made by a virtual currency kiosk  
49 | business render its registration void; authorizing the  
50 | commission to adopt rules; creating s. 560.504, F.S.;

51 specifying requirements for specified disclosures and  
 52 attestations displayed by a virtual currency kiosk;  
 53 authorizing the commission to adopt rules; creating s.  
 54 560.505, F.S.; requiring an owner-operator to transact  
 55 business under the legal name by which it is  
 56 registered; providing exceptions; requiring an owner-  
 57 operator to maintain certain policies, processes, and  
 58 procedures; requiring an owner-operator to use  
 59 blockchain analytics; creating s. 506.506, F.S.;  
 60 providing criminal penalties; authorizing a court to  
 61 invalidate the registration of a registrant under  
 62 certain circumstances; providing effective dates.

63

64 Be It Enacted by the Legislature of the State of Florida:

65

66 **Section 1. Present subsections (4) through (28) and (29)**  
 67 **through (36) of section 560.103, Florida Statutes, are**  
 68 **redesignated as subsections (5) through (29) and (31) through**  
 69 **(38), respectively, new subsections (4) and (30) and subsections**  
 70 **(39) through (42) are added to that section, and present**  
 71 **subsection (10) of that section is amended, to read:**

72 560.103 Definitions.—As used in this chapter, the term:

73 (4) "Blockchain analytics" means the process of examining,  
 74 monitoring, and gathering insights from the data and transaction  
 75 patterns on a blockchain network. The primary aims of blockchain

76 | analytics are to understand and monitor the network's health,  
77 | track transaction flows, and identify potential security  
78 | threats, including illicit activity, in order to extract  
79 | actionable insights.

80 | ~~(11)-(10)~~ "Control person" means, with respect to a money  
81 | services business or virtual currency kiosk business, any of the  
82 | following:

83 | (a) A person who holds the title of president, treasurer,  
84 | chief executive officer, chief financial officer, chief  
85 | operations officer, chief legal officer, or compliance officer  
86 | for a money services business or virtual currency kiosk  
87 | business.

88 | (b) A person who holds any of the officer, general  
89 | partner, manager, or managing member positions named in the  
90 | money services business's or virtual currency kiosk business's  
91 | governing documents. As used in this paragraph, the term  
92 | "governing documents" includes bylaws, articles of incorporation  
93 | or organization, partnership agreements, shareholder agreements,  
94 | and management or operating agreements.

95 | (c) A director of the money services business's or virtual  
96 | currency kiosk business's board of directors.

97 | (d) A shareholder in whose name shares are registered in  
98 | the records of a corporation for profit, whether incorporated  
99 | under the laws of this state or organized under the laws of any  
100 | other jurisdiction and existing in that legal form, who owns 25

101 percent or more of a class of the company's equity securities.

102 (e) A general partner or a limited partner, as those terms  
103 are defined in s. 620.1102, who has a 25 percent or more  
104 transferable interest, as defined in s. 620.1102, of a limited  
105 partnership, limited liability limited partnership, foreign  
106 limited partnership, or foreign limited liability limited  
107 partnership, as those terms are defined in s. 620.1102.

108 (f) A member, who is a person that owns a membership  
109 interest in a limited liability company or a foreign limited  
110 liability company, as those terms are defined in s. 605.0102(36)  
111 and (26), respectively, that holds a 25 percent or more  
112 membership interest in such company. As used in this subsection,  
113 the term "membership interest" means a member's right to receive  
114 distributions or other rights, such as voting rights or  
115 management rights, under the articles of organization.

116 (g) A natural person who indirectly owns 25 percent or  
117 more of the shares or stock interest, transferable interest as  
118 defined in s. 620.1102, or membership interest as defined in  
119 paragraph (f), of any legal entities referred to in paragraphs  
120 (d)-(f).

121 (30) "Owner-operator" means a registrant or a licensed  
122 money services business.

123 (39) "Virtual currency kiosk" means an electronic terminal  
124 that acts as a mechanical agent of the owner-operator, enabling  
125 the owner-operator to facilitate the exchange of virtual

126 currency for fiat currency or other virtual currency for a  
127 customer.

128 (40) "Virtual currency kiosk business" or "registrant"  
129 means a corporation, limited liability company, limited  
130 liability partnership, or foreign entity qualified to do  
131 business in this state which operates a virtual currency kiosk  
132 and which is not a money transmitter as defined in this section.

133 (41) "Virtual currency kiosk transaction" means the  
134 process in which a customer uses a virtual currency kiosk to  
135 exchange virtual currency for fiat currency or other virtual  
136 currency. A transaction begins at the point at which the  
137 customer is able to initiate a transaction after the customer is  
138 given the option to select the type of transaction or account,  
139 and does not include any of the screens that display the  
140 required terms and conditions, disclaimers, or attestations.

141 (42) "Wallet" means hardware or software that enables  
142 customers to store and use virtual currency.

143 **Section 2. Paragraph (a) of subsection (1) and paragraph**  
144 **(b) of subsection (2) of section 560.105, Florida Statutes, are**  
145 **amended to read:**

146 560.105 Supervisory powers; rulemaking.—

147 (1) The office shall:

148 (a) Supervise all money services businesses and their  
149 authorized vendors and virtual currency kiosk businesses.

150 (2) The commission may adopt rules pursuant to ss.

151 120.536(1) and 120.54 to administer this chapter.

152 (b) Rules adopted to regulate money services businesses,  
153 including deferred presentment providers and virtual currency  
154 kiosk businesses, must be responsive to changes in economic  
155 conditions, technology, and industry practices.

156 **Section 3.** Part V of chapter 560, Florida Statutes,  
157 consisting of ss. 560.501-560.506, Florida Statutes, is created  
158 and entitled "Virtual Currency Kiosk Businesses."

159 **Section 4. Section 560.501, Florida Statutes, is created**  
160 **to read:**

161 560.501 Legislative intent.—The Legislature intends to  
162 reduce unlawful and fraudulent activities by requiring virtual  
163 currency kiosk businesses to register with the state and by  
164 requiring such businesses and money transmitter licensees to  
165 regularly and consistently disclose to all customers of virtual  
166 currency kiosks certain specified risks relating to virtual  
167 currency kiosk transactions.

168 **Section 5. Effective March 1, 2026, section 560.502,**  
169 **Florida Statutes, is created to read:**

170 560.502 Registration required; exemptions; penalties.—

171 (1) A virtual currency kiosk business in this state may  
172 not operate without first registering, or renewing its  
173 registration, in accordance with s. 560.503. The office shall  
174 give written notice, in person or by mail, to each applicant  
175 that the agency has granted or denied the application for

176 registration.

177 (2) A money transmitter licensed as a money services  
178 business pursuant to s. 560.141 is exempt from registration as a  
179 virtual currency kiosk business but is subject to ss. 560.504,  
180 560.505, and 560.506.

181 (3) An entity, in the course of its business, may not act  
182 as an intermediary with the ability to unilaterally execute or  
183 indefinitely prevent a virtual currency kiosk transaction, or  
184 otherwise meet the definition of a money transmitter as defined  
185 in s. 560.103, without being licensed as a money services  
186 business pursuant to part II of this chapter.

187 (4) Unless licensed as a money services business pursuant  
188 to part II of this chapter, an entity that operates or solicits  
189 business as a virtual currency kiosk business without first  
190 being registered with the office or without maintaining its  
191 registration commits a felony of the third degree, punishable as  
192 provided in s. 775.082, s. 775.083, or s. 775.084.

193 (5) A person who registers or attempts to register as a  
194 virtual currency kiosk business by means of fraud,  
195 misrepresentation, or concealment commits a felony of the third  
196 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
197 775.084.

198 (6) A virtual currency kiosk business registration issued  
199 under this part is not transferable or assignable.

200 **Section 6. Section 560.503, Florida Statutes, is created**



201 **to read:**

202 560.503 Registration applications.—

203 (1) To apply to be registered as a virtual currency kiosk  
204 business under this part, the applicant must submit all of the  
205 following to the office:

206 (a) A completed registration application on forms  
207 prescribed by rule of the commission. The application must  
208 include the following information:

209 1. The legal name, including any fictitious or trade names  
210 used by the applicant in the conduct of its business, and the  
211 physical and mailing address of the applicant.

212 2. The date of the applicant's formation and the state in  
213 which the applicant was formed, if applicable.

214 3. The name, social security number, alien identification  
215 or taxpayer identification number, business and residence  
216 addresses, and employment history for the past 5 years for each  
217 control person as defined in 560.103.

218 4. A description of the organizational structure of the  
219 applicant, including the identity of any parent or subsidiary of  
220 the applicant, and the disclosure of whether any parent or  
221 subsidiary is publicly traded.

222 5. The name of the registered agent in this state for  
223 service of process.

224 6. The physical address of the location of each virtual  
225 currency kiosk through which the applicant proposes to conduct

226 or is conducting business in this state.

227 7. An attestation that the applicant has developed clearly  
228 documented policies, processes, and procedures regarding the use  
229 of blockchain analytics to prevent transfers to wallet addresses  
230 linked to known criminal activity, including the manner in which  
231 such blockchain analytics activity will integrate into its  
232 compliance controls, and that the applicant will maintain and  
233 comply with such blockchain analytics policies, processes, and  
234 procedures.

235 8. Any other information as required by this chapter or  
236 commission rule.

237 (b) Any information needed to resolve any deficiencies  
238 found in the application within a time period prescribed by  
239 rule.

240 (2) A virtual currency kiosk business operating in this  
241 state on or before January 1, 2026, must submit a registration  
242 application to the office within 30 days after that date.

243 (3) A registrant shall report, on a form prescribed by  
244 rule of the commission, any change in the information contained  
245 in an initial application form or an amendment thereto within 30  
246 days after the change is effective.

247 (4) A registrant must renew its registration annually on  
248 or before December 31 of the year preceding the expiration date  
249 of the registration. To renew such registration, the registrant  
250 must submit a renewal application that provides:

251 (a) The information required in paragraph (1)(a) if there  
252 are changes in the application information, or an affidavit  
253 signed by the registrant that the information remains the same  
254 as the prior year.

255 (b) Upon request by the office, evidence that the  
256 registrant has been operating in compliance with ss. 560.504 and  
257 560.505. Such evidence may be prescribed by rule by the  
258 commission and may include, but need not be limited to, all of  
259 the following:

260 1. Current disclosures presented to customers during the  
261 transaction process.

262 2. Current use of blockchain analytics to prevent  
263 transfers to wallet addresses linked to known criminal activity.

264 (5) The registration of a virtual currency kiosk business  
265 that does not renew its registration by December 31 of the year  
266 of expiration must be made inactive for 60 days. A virtual  
267 currency kiosk business may not conduct business while its  
268 registration is inactive.

269 (6) To renew an inactive registration, a virtual currency  
270 kiosk business must, within 60 days after the registration  
271 becomes inactive, submit all of the following:

272 (a) The information required in paragraph (1)(a) if there  
273 are changes in the application information or an affidavit  
274 signed by the registrant that the information remains the same  
275 as the prior year.

276 (b) Evidence that the registrant was operating in  
277 compliance with ss. 560.504 and 560.505. Such evidence may be  
278 prescribed by rule by the commission and may include, but need  
279 not be limited to, all of the following:

280 1. Current disclosures presented to customers during the  
281 transaction process.

282 2. Current use of blockchain analytics to prevent  
283 transfers to wallet addresses linked to known criminal activity.

284  
285 Any renewal registration made pursuant to this subsection  
286 becomes effective upon the date the office approves the  
287 application for registration. The office shall approve the  
288 renewal registration within a timeframe prescribed by rule.

289 (7) Failure to submit an application to renew a virtual  
290 currency kiosk business's registration within 60 days after the  
291 registration becomes inactive shall result in the registration  
292 becoming null and void. If the registration is null and void, a  
293 new application to register the virtual currency kiosk business  
294 pursuant to subsection (1) must be submitted to the office and a  
295 certification of registration must be issued by the office  
296 before the virtual currency kiosk business may conduct business  
297 in this state.

298 (8) If a control person of a registrant or prospective  
299 registrant has engaged in any unlawful business practice, or  
300 been convicted or found guilty of, or pled guilty or nolo

301 contendere to, regardless of adjudication, a crime involving  
302 dishonest dealing, fraud, acts of moral turpitude, or other acts  
303 that reflect an inability to engage lawfully in the business of  
304 a registered virtual currency kiosk business, the office must  
305 deny the prospective registrant's initial registration  
306 application or the registrant's renewal application.

307 (9) The office shall deny the application of a virtual  
308 currency kiosk business that submits a renewal application and  
309 fails to provide evidence of compliance upon request pursuant to  
310 paragraph (4) (b) or as required in paragraph (6) (b).

311 (10) Any false statement made by a virtual currency kiosk  
312 business with respect to the name of the business or its  
313 business address or location in any application for registration  
314 under this section renders the registration void. A void  
315 registration may not be construed as creating a defense to any  
316 prosecution for violation of this chapter.

317 (11) The commission may adopt rules to administer this  
318 section.

319 **Section 7. Section 560.504, Florida Statutes, is created**  
320 **to read:**

321 560.504 Disclosures.—

322 (1) Disclosures or attestations required by this section  
323 and displayed by a virtual currency kiosk must meet all of the  
324 following requirements:

325 (a) Be full and complete.

- 326        (b) Contain no material misrepresentations.
- 327        (c) Be readily understandable and in the language in which  
328 the virtual currency kiosk transaction is conducted.
- 329        (d) Be displayed in at least 14-point type.
- 330        (2) Before authorizing a customer to initiate a virtual  
331 currency kiosk transaction, the owner-operator shall ensure that  
332 the virtual currency kiosk displays the disclosures in this  
333 section on two separate screens.
- 334        (a) The first disclosure must be in substantially the  
335 following form:
- 336
- 337        WARNING: CONSUMER FRAUD OFTEN STARTS WITH CONTACT FROM  
338 A STRANGER WHO IS INITIATING A DISHONEST SCHEME.
- 339
- 340        I UNDERSTAND THAT DISHONEST SCHEMES MAY APPEAR IN MANY  
341 FORMS, INCLUDING, BUT NOT LIMITED TO:
- 342        1. Claims of a frozen bank account or credit card.
- 343        2. Fraudulent bank transactions.
- 344        3. Claims of identity theft or job offerings in  
345 exchange for payments.
- 346        4. Requests for payments to government agencies or  
347 companies.
- 348        5. Requests for disaster relief donations or loans.
- 349        6. Offers to purchase tickets for lotteries,  
350 sweepstakes, or drawings for vehicles.

351 7. Prompts to click on desktop pop-ups, such as virus  
 352 warnings or communication from alleged familiar  
 353 merchants.

354 8. Communication from someone impersonating a  
 355 representative of your bank or a law enforcement  
 356 officer.

357 9. Requests from persons who are impersonating  
 358 relatives or friends in need or promoting investment  
 359 or romance scams.

360  
 361 PROTECT YOURSELF FROM FRAUD. NEVER SEND MONEY TO  
 362 SOMEONE YOU DON'T KNOW.

363  
 364 (b) The second disclosure must be in substantially the  
 365 following form:

366  
 367 WARNING: FUNDS LOST DUE TO USER ERROR OR FRAUD MAY NOT  
 368 BE RECOVERABLE. TRANSACTIONS CONDUCTED ON THIS VIRTUAL  
 369 CURRENCY KIOSK ARE IRREVERSIBLE. I UNDERSTAND THESE  
 370 RISKS AND WISH TO CONTINUE WITH CONDUCTING MY VIRTUAL  
 371 CURRENCY KIOSK TRANSACTION.

372  
 373 PROTECT YOURSELF FROM FRAUD. NEVER SEND MONEY TO  
 374 SOMEONE YOU DON'T KNOW.

375

376 (3) (a) After the disclosures provided in subsection (2)  
377 are acknowledged by the customer, the virtual currency kiosk  
378 business shall ensure that the virtual currency kiosk displays  
379 on a pop-up window the following question to the customer: "ARE  
380 YOU USING THIS KIOSK TO SEND VIRTUAL CURRENCY TO A WALLET OWNED  
381 BY SOMEONE ELSE?"

382 (b) The virtual currency kiosk business shall require the  
383 customer to respond to the question in paragraph (a) with a "no"  
384 response before the customer can proceed to the attestation  
385 required in subsection (4).

386 (c) The virtual currency kiosk business shall ensure that  
387 the virtual currency kiosk terminates a customer's virtual  
388 currency kiosk transaction if the customer provides a "yes"  
389 response to the question in paragraph (a).

390 (4) After the disclosures provided in subsection (2) and,  
391 with respect to virtual currency kiosk businesses, an answer of  
392 "no" to the question provided in paragraph (3) (a), the owner-  
393 operator must ensure that the virtual currency kiosk displays,  
394 on a screen by itself, a toll-free number for the customer to  
395 contact regarding the risk of engaging in virtual currency  
396 transactions and the following attestation in substantially the  
397 following form:

398  
399 I ATTEST THAT I HAVE BEEN GIVEN A TOLL-FREE NUMBER AND  
400 THAT I HAVE HAD AN OPPORTUNITY TO CALL THE NUMBER TO



401 SPEAK WITH SOMEONE REGARDING THE RISKS OF ENGAGING IN  
402 VIRTUAL CURRENCY KIOSK TRANSACTIONS. I FURTHER ATTEST  
403 THAT I UNDERSTAND THAT I MAY BE SOLELY RESPONSIBLE FOR  
404 LOSS OF FUNDS DUE TO USER ERROR OR FRAUD.

405  
406 (a) If a customer makes the attestation in this  
407 subsection, the virtual currency kiosk may allow the customer to  
408 proceed with the virtual currency kiosk transaction.

409 (b) If the customer does not make the attestation in this  
410 subsection, the owner-operator must ensure that the virtual  
411 currency kiosk terminates the customer's virtual currency kiosk  
412 transaction.

413 (5) The commission may adopt rules to administer this  
414 section and to ensure that virtual currency kiosk disclosures  
415 are responsive to consumer fraud and emerging technology.

416 **Section 8. Section 560.505, Florida Statutes, is created**  
417 **to read:**

418 560.505 Conduct of business.—

419 (1) An owner-operator may transact business under this  
420 part only under the legal name by which such business is  
421 registered. The use of a fictitious name is allowed if the  
422 fictitious name has been registered with the Department of State  
423 and disclosed to the office as part of an initial registration  
424 or license application, or subsequent amendment to the  
425 application, before its use.

426 (2) An owner-operator must maintain clearly documented  
427 policies, processes, and procedures with regard to the manner in  
428 which the blockchain analytics activity integrates into their  
429 compliance controls. An owner-operator must use blockchain  
430 analytics to prevent transfers to wallet addresses linked to  
431 known criminal activity.

432 **Section 9. Section 560.506, Florida Statutes, is created**  
433 **to read:**

434 560.506 Penalties.—

435 (1) An owner-operator of a virtual currency kiosk which  
436 violates s. 560.504 commits a felony of the third degree,  
437 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

438 (2) Each of the following violations constitutes a  
439 misdemeanor of the second degree, punishable as provided in s.  
440 775.082 or s. 775.083:

441 (a) Operating a virtual currency kiosk under any name  
442 other than that designated in the registration, unless written  
443 notification is given to the office.

444 (b) Assigning or attempting to assign a virtual currency  
445 kiosk business registration issued under this part.

446 (c) Operating a virtual currency kiosk without the use of  
447 blockchain analytics as required under s. 560.505.

448 (3) In addition to the criminal penalties provided in this  
449 section, a court may invalidate the registration of any  
450 registrant under this part who has been found guilty of conduct

451 | punishable under subsection (1) or subsection (2).

452 |       **Section 10.** Except as otherwise expressly provided in this  
453 | act, this act shall take effect January 1, 2026.