

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: CS/SB 198

INTRODUCER: Banking and Insurance Committee and Senators Rouson and Arrington

SUBJECT: Virtual Currency Kiosks

DATE: February 9, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Moody</u>	<u>Knudson</u>	<u>BI</u>	<b>Fav/CS</b>
2. <u>Renner</u>	<u>McKay</u>	<u>CM</u>	<b>Favorable</b>
3. <u>Moody</u>	<u>Kruse</u>	<u>RC</u>	<b>Pre-meeting</b>

**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 198 establishes a regulatory framework for virtual currency kiosks and protects users of kiosks by:

- Requiring a virtual currency kiosk business (except licensed money transmitters) to comply with registration requirements.
- Requiring that virtual currency kiosks must:
  - Ask each customer the amount of any of the customer's other virtual currency transactions conducted the same calendar day; and
  - Provide a notice to customers that fraud that begins with contact from strangers lying about their identity.
- Restricting the total dollar amount of all transactions per customer each calendar day to \$2,000 for new customers and \$10,000 for existing customers.
- Requiring a customer to be provided with an electronic receipt.
- Requiring a full refund in specified circumstances.

The bill has an indeterminate fiscal impact on state government expenditures. *See* Section V. Fiscal Impact Statement.

The bill is effective January 1, 2027.

## II. Present Situation:

A virtual currency kiosk, also known as a cryptocurrency kiosk or a Bitcoin automatic teller machine (ATM), is a physical machine that enables customers to exchange virtual currencies for fiat currency or other virtual currencies.<sup>1</sup> As of January 2026, there are over 30,000 virtual currency kiosks in the United States.<sup>2</sup> Consumers are typically charged fees between 9 percent and 12 percent of the value of the transaction, but such fees may range from four percent to greater than 20 percent of the value of a transaction.<sup>3</sup>

A virtual currency kiosk may be unidirectional, allowing only the sale of virtual currency, or bidirectional, allowing both the sale and purchase of virtual currency.<sup>4</sup> To purchase virtual currency from a kiosk, a consumer may store the purchased virtual currency in their own wallet or send the currency to a third party's wallet if the purchaser has a quick response (QR) code to that person's wallet.<sup>5</sup> To sell virtual currency from a kiosk, a user deposits it into the machine's wallet, usually via a QR code displayed on the kiosk's screen, and the kiosk dispenses cash when the transaction is completed.<sup>6</sup>

### Federal Regulation

The Financial Crimes Enforcement Network ("FinCEN"), a bureau of the United States Department of Treasury,<sup>7</sup> is responsible for safeguarding the financial system from illegal use, combatting money laundering and related crimes, and promoting national security.<sup>8</sup> Unless an exception applies, a money services business<sup>9</sup> (MSB) must register with FinCEN.<sup>10</sup> An MSB registration period is two calendar years.<sup>11</sup> Any person who fails to comply with the registration requirements is liable for a civil penalty of \$5,000 for each violation.<sup>12</sup> An MSB must develop, implement, and maintain an anti-money laundering program that includes, among other things, verifying customer identification.<sup>13</sup> An MSB must also comply with anti-money laundering reporting requirements, such as reporting certain payment transactions by, through, or to the MSB that involve a transaction of more than \$10,000.<sup>14</sup>

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<sup>1</sup> National Association of Attorneys General, *Your Bitcoin on Every Block: An Introduction to Cryptocurrency Kiosks*, May 4, 2022, available at [Your Bitcoin on Every Block: An Introduction to Cryptocurrency Kiosks \(naag.org\)](https://naag.org/your-bitcoin-on-every-block-an-introduction-to-cryptocurrency-kiosks) (last visited Feb. 3, 2026) (hereinafter cited as "Attorneys General Article on Cryptocurrency Kiosks").

<sup>2</sup> Coin ATM Radar, *Bitcoin ATM Installations Growth (United States)*, available at [Bitcoin ATM Installation Growth in United States](https://coinatmradar.com/bitcoin-atm-installation-growth-in-united-states/) (last visited Feb. 3, 2026).

<sup>3</sup> Attorneys General Article on Cryptocurrency Kiosks.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> 31 C.F.R. s. 1010.100(s).

<sup>8</sup> The U.S. Treasury Financial Crimes Enforcement Network, *Financial Crimes Enforcement Network: Mission*, available at [Mission | FinCEN.gov](https://finccen.gov) (last visited Feb. 3, 2026).

<sup>9</sup> "Money services business" is defined as a person wherever located doing business, whether or not on a regular basis or as an organized or licensed business concern, wholly or in substantial part within the United States, in one or more of the capacities specified under federal law. 31 C.F.R. s. 1010.100(ff).

<sup>10</sup> 31 C.F.R. s. 1022.380(a).

<sup>11</sup> 31 C.F.R. s. 1022.380(b).

<sup>12</sup> 31 C.F.R. s. 1022.380(e) (providing that each day a violation continues constitutes a separate violation).

<sup>13</sup> 31 C.F.R. s. 1022.210.

<sup>14</sup> 31 C.F.R. s. 1010.311.

FinCEN has issued guidance that, unless an exception applies, an administrator<sup>15</sup> or exchanger<sup>16</sup> that: (a) accepts or transmits, or (b) buys or sells, virtual currency<sup>17</sup> is a money transmitter that are subject to money services business registration, reporting, and recordkeeping requirements.<sup>18</sup> Therefore, FinCEN treats virtual currency kiosk operators as MSBs, subject to registration regulations.<sup>19</sup> Notwithstanding this requirement, the United States Government Accountability Office (“GAO”) reports that only 164 of the estimated 297 kiosk operators in the United States were registered in 2020, which has contributed to federal agencies, such as FinCEN, facing challenges in identifying virtual currency kiosk locations.<sup>20</sup>

## Florida Regulation of Money Services Businesses

The Florida Office of Financial Regulation (OFR) is responsible for all activities of the Financial Services Commission (Commission) relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.<sup>21</sup>

### *Money Services Businesses*

As part of the OFR’s responsibilities, the OFR oversees MSBs. As of January 2025, there were 663 MSBs licensed by the OFR, with an additional 42,846 authorized locations and branches.<sup>22</sup> An MSB includes any person located or doing business in Florida who acts as, amongst other

<sup>15</sup> “Administrator” is defined as “a person engaged as a business in issuing (putting into circulation) a virtual currency, and who has the authority to redeem (to withdraw from circulation) such virtual currency.” The U. S. Treasury FinCEN, *Application of FinCEN’s Regulations to Persons Administering, Exchanging, or Using Virtual Currencies*, Mar. 18, 2013, available at [Application of FinCEN’s Regulations to Persons Administering, Exchanging, or Using Virtual Currencies | FinCEN.gov](https://www.fincen.gov/application-of-fincen-s-regulations-to-persons-administering-exchanging-or-using-virtual-currencies) (last visited Feb. 3, 2026) (hereinafter cited as “FinCEN Guidance on Persons Administering, Exchanging, or Using Virtual Currency”).

<sup>16</sup> “Exchanger” is defined as “a person engaged as a business in the exchange of virtual currency for real currency, funds, or other virtual currency.” *Id.*

<sup>17</sup> “Virtual Currency” is defined as “a medium of exchange that operates like a currency in some environments, but does not have all of the attributes of real currency.” “Convertible” virtual currency has an equivalent value in real currency or acts as a substitute for real currency. *Id.*

<sup>18</sup> FinCEN Guidance on Persons Administering, Exchanging, or Using Virtual Currency. “Money transmitter” is defined as “a person who provides money transmitter services, which means the acceptance of currency, funds, or other value that substitutes for currency from one person and the transmission of currency, funds, or other value that substitutes for currency to another location or person by any means.” “Any means” includes, but is not limited to, “a financial agency or institution, a Federal Reserve Bank, an electronic funds transfer network, or an informal value transfer system.”

31 C.F.R. s. 1010.100(ff)(5)(A).

<sup>19</sup> *Id.*; See also Article on US GAO Urges New Virtual Currency Regulations.

<sup>20</sup> The GAO, *Virtual Currencies Additional Information Could Improve Federal Agency Efforts to Counter Human and Drug Trafficking [Reissued with Revisions Feb. 7, 2022]*, GAO-22-105462, Published: Dec. 8, 2021, Publicly Released: Jan. 10, 2022, available at <https://www.gao.gov/products/gao-22-105462> (last visited Feb. 3, 2026).

<sup>21</sup> Section 20.121(3)(a)2., F.S.

<sup>22</sup> Email from Jason Holloway, Director of Fintech Policy, OFR to Jacqueline Moody, Florida Senate Committee on Banking and Insurance, Senior Attorney, *Re: SB 292 – Virtual Currency Kiosk*, (Mar. 18, 2025) (on file with the Senate Committee on Banking and Insurance).

things, a money transmitter.<sup>23,24</sup> Money transmitters reported \$591,129,248,691 in transmissions during the Fiscal Year 2024-2025.<sup>25</sup>

Licenses issued to MSBs are valid until April 30 of the second year following the date of issuance and are valid for two years.<sup>26</sup> An MSB that does not renew its license by April 30 of its expiration year is deemed inactive, and if the license is not reactivated within 60 days, it will permanently expire.<sup>27</sup> An MSB must submit any application required by rule and pay the renewal or reactivation fee online via the Regulatory Enforcement and Licensing (REAL) System to renew or reactivate a license.<sup>28</sup>

Once licensed, an MSB is required to report any change in control persons.<sup>29,30</sup> If any person, directly or indirectly, or acting by or through one or more persons, proposes to purchase or acquire a controlling interest in an MSB, such person or group must submit a new application for licensure at least 30 days before such purchase or acquisition.<sup>31</sup> Such a change of control application is not required if the person or group of persons has previously complied with applicable licensing provisions, provided that they are currently affiliated with the MSB, or if the person or group of persons is currently licensed with the OFR as an MSB.<sup>32</sup> A change of control

<sup>23</sup> Section 560.103(24), F.S. defines “money transmitter” as corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in Florida which receives currency, monetary value, a payment instrument, or virtual currency<sup>23</sup> for the purpose of acting as an intermediary to transmit currency, monetary value, a payment instrument, or virtual currency from one person to another location or person by means, including transmission by wire, facsimile, electronic transfer, courier, the Internet, or through bill payment services or other businesses that facilitate such transfer within this country, or to or from this country. The term includes only an intermediary that can unilaterally execute or indefinitely prevent a transaction.

<sup>24</sup> Section 560.103(23), F.S.

<sup>25</sup> Email from Jason Holloway, Director of Fintech Policy, OFR to Jacqueline Moody, Florida Senate Committee on Banking and Insurance, Senior Attorney, *Re: SB 198 – Virtual Currency*, (Jan. 15, 2026) (on file with the Senate Committee on Banking and Insurance) (hereinafter cited as “OFR Email Re: SB 198”).

<sup>26</sup> Section 560.141(2), F.S.

<sup>27</sup> Section 560.142(4), F.S.

<sup>28</sup> Section 560.142(1), F.S.

<sup>29</sup> Section 560.103(10), F.S., defines “Control person,” with respect to a money services business, as any of the following: (a) A person who holds the title of president, treasurer, chief executive officer, chief financial officer, chief operations officer, chief legal officer, or compliance officer for a money services business; (b) A person who holds any of the officer, general partner, manager, or managing member positions named in the money services business’s governing documents. As used in this paragraph, the term “governing documents” includes bylaws, articles of incorporation or organization, partnership agreements, shareholder agreements, and management or operating agreements; (c) A director of the money services business’s board of directors; (d) A shareholder in whose name shares are registered in the records of a corporation for profit, whether incorporated under the laws of this state or organized under the laws of any other jurisdiction and existing in that legal form, who owns 25 percent or more of a class of the company’s equity securities; (e) A general partner or a limited partner, as those terms are defined in s. 620.1102, F.S., who has a 25 percent or more transferable interest, as defined in s. 620.1102, F.S., of a limited partnership, limited liability limited partnership, foreign limited partnership, or foreign limited liability limited partnership, as those terms are defined in s. 620.1102, F.S. (f) A member, who is a person that owns a membership interest in a limited liability company or a foreign limited liability company, as those terms are defined in s. 605.0102(36) and (26), F.S., respectively, that holds a 25 percent or more membership interest in such company. As used in this subsection, the term “membership interest” means a member’s right to receive distributions or other rights, such as voting rights or management rights, under the articles of organization; (g) A natural person who indirectly owns 25 percent or more of the shares or stock interest, transferable interest as defined in s. 620.1102, F.S., or membership interest as defined in paragraph (f), of any legal entities referred to in paragraphs (d)-(f).

<sup>30</sup> Section 560.126(3), F.S.

<sup>31</sup> Section 560.126(3)(a), F.S.; r. 69v-560.201(4), F.A.C.

<sup>32</sup> Section 560.126(3)(c), F.S.; r. 69v-560.201(6), F.A.C.

application must be accompanied by the payment of an initial licensing fee<sup>33</sup> and a fee per branch or authorized vendor,<sup>34</sup> up to a maximum of \$20,000.<sup>35</sup>

The OFR has enforcement authority against MSBs for violating any state law relating to the detection and prevention of money laundering.<sup>36</sup>

### ***Virtual Currency Kiosk Businesses***

The OFR reports that there are currently 39 known operators and 3,178 known kiosks in Florida.<sup>37</sup> Under current Florida law, an operator of a virtual currency kiosk that falls within the definition of a money transmitter is required to be licensed as an MSB. Florida does not have a separate regulatory regime for virtual currency businesses or virtual currency kiosk businesses.

The OFR reports that the Federal Bureau of Investigation (FBI) and the Federal Trade Commission (FTC) have received complaints from Florida of alleged victim losses related to virtual currency kiosks totaling about \$33 million<sup>38</sup> to approximately 1,739 Florida victims from January 2020 to March 2025.<sup>39</sup> Since January 2024, the OFR has opened approximately 75 investigations regarding approximately \$1.8 million in losses related to virtual currency kiosks.<sup>40</sup>

### **Other States' Laws**

More than 10 states have passed laws regulating virtual currency kiosks.<sup>41</sup> All of the states that regulate kiosks have requirements for operators of the kiosks to be licensed or registered,<sup>42</sup>

<sup>33</sup> Fees are determined by whether the MSB is licensed under Part II or Part III of Chapter 560. Initial licensing fees under Part II licenses require a \$375 license application fee per s. 560.143(1)(a), F.S. Part III licenses require a \$188 license application fee per s. 560.143(b), F.S.

<sup>34</sup> Section 560.143(1)(c) and (d), F.S., provides that both the per branch fee and the authorized vendor fee are \$38.

<sup>35</sup> Section 560.143(1)(g), F.S.

<sup>36</sup> Section 560.123, F.S.

<sup>37</sup> OFR Email Re: SB 198 (citing Coin ATM Radar, *Bitcoin ATMs in Florida*, available at: [Bitcoin ATM Florida, FL United States](#) (last visited Feb. 3, 2026)).

<sup>38</sup> OFR Email Re: SB 198.

<sup>39</sup> Email from Jason Holloway, Director of Fintech Policy, OFR, to Jacqueline Moody, Florida Senate Committee on Banking and Insurance, Senior Attorney, *Virtual Currency Kiosk Businesses*, (Mar. 18, 2025) (on file with Senate Committee on Banking and Insurance) (forwarding email from Alex B Toledo, Chief, Bureau of Financial Investigations, OFR to Jason Holloway, Director of Fintech Policy, OFR, *Re: [EXT] HB 319 Virtual Currency Kiosk Businesses*, (Mar. 10, 2025) (on file with the Senate Committee on Banking and Insurance)).

<sup>40</sup> *Id.*

<sup>41</sup> Arizona (A.R.S. s. 6-1236), Arkansas (A.C.A. s. 23-55-1008), California (CA Fin. Code ss. 3901 – 3907), Colorado (SB 25-079), Connecticut (Conn. Gen. Stat. 36a-595 to 36a-612), Illinois (30 ILCS 105/5.1030), Iowa (Iowa Code s. 533C.1004), Louisiana (La. Act No. 369 (HB 483) (2025)), Maryland (Md. Code, Financial Institutions, s. 12-1201 et seq.), Missouri (RSMo s. 361.1100), Nebraska (Neb. Rev. Stat. ss. 8-3032 – 8-3042), North Dakota (HB 1447 (2025)), Oklahoma (Okla. Stat. tit. 6, s. 1520), Rhode Island (R.I. Gen. Law ss. 19-14.3-3.9 to 3.13), Vermont (8 V.S.A. s. 2577), Maine (32 M.R.S. s. 6169).

<sup>42</sup> California does not require a license for operators of kiosks unless, on or after July 1, 2026, the operator engages in digital financial asset business activity via kiosks. Cal. Fin. Code s. 3907.

except Colorado and Iowa.<sup>43</sup> All of them have consisted of all or some<sup>44</sup> of the following provisions that require:

- Specified disclosures before a customer can initiate a transaction;
- An electronic receipt to be provided to the customer upon completion of a transaction;
- A refund to be issued to certain customers in specified circumstances; and
- An owner or operator to limit the daily transaction amount per customer.

Some state laws contain additional protections; for instance, several states provide for anti-fraud regulation<sup>45</sup> and fee caps.<sup>46</sup>

### III. Effect of Proposed Changes:

CS/SB 198 establishes the regulatory framework for virtual currency kiosks, including registration and disclosure requirements, daily transaction limits, and requirements to provide an electronic receipt for each transaction and refunds if certain conditions are met.

**Section 1** amends s. 560.103, F.S., revising the definition of “money services businesses” to include virtual currency kiosk businesses as a type of money service business. The bill also defines the following terms:

- “Virtual currency kiosk” means an electronic terminal that acts as a mechanical agent of the kiosk business, enabling the kiosk business to facilitate the exchange of virtual currency for fiat currency or other virtual currency for a customer.
- “Virtual currency kiosk business” or “kiosk business” means a corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in this state which offers virtual currency kiosk services to a customer in this state.
- “Virtual currency kiosk transaction” means the process in which a customer uses a virtual currency kiosk to exchange virtual currency for fiat currency or other virtual currency. A transaction begins at the point at which the customer is able to initiate a transaction after the customer is given the option to select the type of transaction or account and does not include any of the screens that display the required terms and conditions, disclaimers, or attestations.

**Section 2** amends s. 560.105, F.S., authorizing the Financial Services Commission to adopt rules to regulate virtual currency kiosk businesses.

**Section 3** creates part V of ch. 560, F.S., entitled “Virtual Currency Kiosk Businesses,” in which the provisions regulating virtual currency kiosk businesses are contained.

**Section 4** creates s. 560.501, F.S., defining the following terms:

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<sup>43</sup> Colorado SB 25-079 (2025); Iowa Code s. 533C.1004.

<sup>44</sup> California law does not require a refund in specified circumstances. *See* Cal. Fin. Code s. 3901-3907. Louisiana law does not provide for receipt requirements. *See* La. Act No. 369 (HB 483) (2025)). Missouri law does not provide daily transaction limits. *See* Mo. Rev. Stat. s. 361.1100. Vermont law does not provide for specific disclosure requirements or receipt requirements. *See* 8 V.S.A. s. 2577.

<sup>45</sup> Examples include Louisiana, Nebraska, North Dakota, and Vermont.

<sup>46</sup> Examples include California, Illinois, Iowa, Maryland, Oklahoma, Rhode Island, and Maine have fee caps. Connecticut authorizes the Banking Commissioner to establish a schedule of maximum fees for specific kiosk services.

- “Blockchain” means a mathematically secured, chronological, decentralized, distributed, and digital ledger or database that consists of records of transactions that cannot be altered retroactively.
- “Blockchain analytics” means the process of examining, monitoring, and gathering insights from the data and transaction patterns on a blockchain network. The primary aims of blockchain analytics are to understand and monitor the network’s health, track transaction flows, and identify potential security threats, including illicit activity, in order to extract actionable insights.
- “Daily transaction limit” means a new customer transaction of no more than \$2,000 per calendar day, or an existing customer transaction of no more than \$10,000 per calendar day, whether through a single transaction or multiple transactions or whether through one or more virtual currency kiosks.
- “Existing customer” means a customer who has transacted with the owner or operator of a virtual currency kiosk for 7 or more days.
- “New customer” means a customer who has transacted with the owner or operator of a virtual currency kiosk for fewer than 7 days.
- “Registrant” means a corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in this state which offers virtual currency kiosk services and receives notice from the OFR that the agency has granted an application for registration.
- “Transaction hash” means a unique identifier consisting of a string of characters which provides a verifiable record that a transaction has been confirmed and added to the blockchain.
- “Wallet” means hardware or software that enables a customer to store, use, send, receive, and spend virtual currency or store virtual currency private keys or passcodes enabling the same.

**Section 5** creates s. 560.502, F.S., prohibiting a virtual currency kiosk business from operating in the state without first registering, or renewing its registration. The OFR must give written notice to each applicant that the OFR has granted or denied the application for registration. A money transmitter that is licensed as a money services business is exempt from registration as a virtual currency kiosk business but is subject to ss. 560.504 through 560.507, F.S. An entity may not operate as an intermediary with the ability to unilaterally execute or indefinitely prevent a virtual currency kiosk transaction, or otherwise act as a money transmitter, without being licensed as a money services business. A virtual currency kiosk business registration is not transferable or assignable.

**Section 6** creates s. 560.503, F.S., providing the information an applicant must submit to apply to register as a virtual currency kiosk business. Such information must include:

- A completed registration application on the form with the following information:
  - The legal name and the physical and mailing addresses of the applicant.
  - The date of the applicant’s formation and any state in which the applicant was formed.
  - The name, social security number, alien identification or taxpayer identification number, business and residence addresses, and employment history for the past 5 years for each control person.

- A description of the organizational structure of the applicant and the disclosure of whether any parent or subsidiary is publicly traded.
- The name and mailing address of the registered agent.
- The physical address of each virtual currency kiosk through which the applicant proposes to conduct or is conducting business in this state.
- An attestation that the applicant has developed clearly documented policies, processes, and procedures regarding the use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity, including specified information.
- Any other information required ch. 560, F.S., or commission rule.
- Any information needed to resolve any deficiencies found in the application within a time period prescribed by rule.

A virtual currency kiosk business operating in this state on or before January 1, 2027, must submit a registration application to the OFR within 30 days after that date. A registrant must report, on a form prescribed by rule of the commission, any change to the information contained in an application form within 30 days after the change is effective.

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

- Any changes in the required information contained in an initial registration application, or an affidavit signed by the registrant that the information remains the same as the prior year's information.
- Upon request by the OFR, evidence that the registrant has been operating in compliance with ss. 560.504 through 560.507, F.S., which may be prescribed by rule and may include:
  - Current disclosures presented to customers during the transaction process.
  - Current use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity.

A registration that is not renewed by December 31 of the year preceding expiration will be made inactive for 60 days. A registrant is not allowed to conduct business while its registration is inactive. To renew an inactive registration, a registrant must submit, within 60 days after the registration becomes inactive, all of the following:

- Any changes in the required information contained in an initial registration application, or an affidavit signed by the registrant that the information remains the same as the prior year's information.
- Evidence that the registrant has been operating in compliance with ss. 560.504 through 560.507, F.S., as prescribed by commission rule, may include:
  - Current disclosures presented to customers during the transaction process.
  - Reports that confirm compliance with daily transaction limits.
  - Copies of receipts provided to customers.
  - Records showing refunds provided to customers in required circumstances.
  - Current use of blockchain analytics to prevent transfers to wallet addresses linked to known criminal activity.



Any renewal registration made under this provision becomes effective on the date the OFR approves the application for registration. The OFR must approve the application for renewal registration within a timeframe prescribed by rule. Unless an exception applies for a licensed money transmitter, a registration will expire if a virtual currency kiosk fails to submit an application to renew a registration within 60 days after the registration becomes inactive. If the registration expires, a new application to register the virtual currency kiosk business must be submitted to the OFR, and the OFR must issue a registration certificate before the virtual currency kiosk business may operate.

The OFR may deny a prospective registrant's initial registration application or the registrant's renewal application if a control person of a registrant or prospective registrant has engaged in any unlawful business practice, or been convicted or found guilty of, or pled guilty or nolo contendere to, regardless of adjudication, a crime involving dishonest dealing, fraud, acts of moral turpitude, or other acts that reflect an inability to engage lawfully in the business of a registered virtual currency kiosk business. The OFR must deny an application to renew a virtual currency kiosk business registration that fails to provide any requested or required evidence of compliance. Any false statement made by a virtual currency kiosk business in an application for registration renders the registration void. A void registration may not be construed as creating a defense to any prosecution for violation of chapter 560, F.S.

**Section 7** creates s. 560.504, F.S., providing that before a customer initiates a virtual currency kiosk transaction, the virtual currency kiosk business must ensure that the virtual currency kiosk:

- Requires a customer to confirm whether the customer has conducted any transactions at another kiosk on the same calendar day and any amount of such transaction to determine how much a customer may transact at the kiosk before reaching the daily transaction limit.
- Clearly and consciously display the following disclosure to the customer:

WARNING: FRAUD OFTEN STARTS WITH CONTACT FROM A STRANGER. IF YOU HAVE BEEN DIRECTED TO THIS MACHINE BY SOMEONE CLAIMING TO BE A GOVERNMENT AGENT, BILL COLLECTOR, LAW ENFORCEMENT OFFICER, OR ANYONE YOU DO NOT KNOW PERSONALLY, STOP THIS TRANSACTION IMMEDIATELY AND CONTACT YOUR FINANCIAL ADVISOR OR LOCAL LAW ENFORCEMENT.

**Section 8** creates s. 560.505, F.S., prohibiting a kiosk business from allowing a new customer or an existing customer to transact more than \$2,000 or \$10,000 per calendar day, respectively, through a single or multiple transactions.

**Section 9** creates s. 560.506, F.S., providing that once the transaction is completed, the kiosk business must provide the customer with an electronic receipt that includes the following information:

- The name and contact information of the kiosk business, including an email address and a toll-free telephone number for such business.
- The date, time, amount of the transaction in United States dollars, and type of transaction.
- The transaction hash and each wallet used.
- The total fee charged for the transaction.

- The exchange rate, if applicable.
- A statement of the kiosk business's liability, if any, for nondelivery or delayed delivery of the currency.
- The refund policy of the kiosk business.

**Section 10** creates s. 560.507, F.S., requiring a kiosk business to issue a full refund within 72 hours to a customer for their first virtual currency transaction if:

- The customer transferred virtual currency to a wallet or exchange located outside the United States;
- Within 60 days, the customer notifies both the kiosk business and a law enforcement or governmental agency regarding the fraudulent nature of the transaction; and
- The customer provides proof of the alleged fraud to the kiosk business, such as a police report or a notarized affidavit.

**Section 11** provides that, except as otherwise expressly provided in this act, the bill is effective January 1, 2027.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

**C. Government Sector Impact:**

The OFR reports the bill has an indeterminate fiscal impact on state government expenditures because “[i]t is unknown whether this bill will apply to licensed money transmitters.”<sup>47</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 560.103 and 560.105.

This bill creates the following sections of the Florida Statutes: 560.501, 560.502, 560.503, 560.504, 560.505, 560.506, and 560.507.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Banking and Insurance on January 28, 2026:**

- Amends the definition of “money services businesses” to include kiosk businesses as a type of money services businesses.
- Creates part V of ch. 560, F.S., relating to Virtual Currency Kiosk Businesses.
- Effective March 1, 2027, provides a kiosk business may not operate in the state without first registering with the OFR, except licensed money transmitters.
- Prohibits an entity from acting as an intermediary without being licensed as a money transmitter.
- Prohibits a kiosk business registration from being transferred or assigned.
- Requires a kiosk business to comply with certain registration requirements.
- Requires the OFR to deny a kiosk business registration application in certain circumstances.
- Voids a kiosk business registration if false information is provided in an application for registration.
- Requires a kiosk to confirm whether the customer has conducted any transactions at another virtual currency kiosk on the same calendar day and any amount of such transaction.

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<sup>47</sup> The OFR, *2026 Agency Legislative Bill Analysis, Florida Office of Financial Regulation for SB 198*, p. 3, Dec. 30, 2025 (on file with the Senate Committee on Banking and Insurance).

- Clarifies the maximum amount a customer may transact per virtual currency kiosk each calendar day.
- Clarifies the information a kiosk business must include in an electronic receipt that is provided to a customer who completes a virtual currency kiosk transaction.
- Clarifies that a customer must provide proof of the “alleged” fraud to a kiosk business to receive a refund.
- Defines terms relating to virtual currency kiosks, blockchain technology, and transaction limits.
- Makes conforming changes.

B. Amendments:

None.