

**STATE OF LOUISIANA
OFFICE OF FINANCIAL INSTITUTIONS
BATON ROUGE, LOUISIANA**

**APPLICATION REQUIREMENTS FOR LICENSURE
UNDER THE LOUISIANA CHECK-CASHING LAW**

The "Louisiana Check-Cashing Law" provides for the licensing and regulation of businesses engaged in currency exchange as defined in the Law. "Check-casher" means an individual, partnership, unincorporated association, or corporation that for compensation engages in whole or in part in the business of cashing checks, drafts, money orders, or any other commercial paper serving the same purpose. "Check-casher" does not mean:

- (1) An entity that **charges no fee** to the presenter or payor for the cashing of a check, draft, money order, or traveler's check, or
- (2) An entity that cashes a check, draft, money order, traveler's check, or other commercial paper if the fee charged **does not exceed** \$2.00 and the currency exchange is **incidental** to the entity's primary business.

**THE FOLLOWING ITEMS MUST BE INCLUDED WITH THE APPLICATION.
INCOMPLETE APPLICATIONS WILL RESULT IN INCREASED PROCESSING TIME AND
POSSIBLE DENIAL OF THE APPLICATION**

- A check or money order payable to the Office of Financial Institutions (cash cannot be substituted) in the amount of \$350 for the Check-Cashing nonrefundable application fee, plus \$50 for each additional location up to a maximum of \$3,000. R.S. 6:1004.1(A).
- A completed, signed, and notarized Uniform Application. All blanks must be filled in (If N/A, so state).
- Two (2) Original Fingerprint Cards (including fingerprints, printed name, signature, social security number, and date of birth) and \$38.00 background processing fee. (Note: See Fingerprint Card Information form for instructions)
- Louisiana Police Bureau Criminal Identification and Information Form must be completed and submitted to this Office for each owner, executive officers and/or director. Louisiana State Police will return incomplete forms to this Office, which may delay the processing of the background request. (See Fingerprint Card instructions.)
- A current Financial Statement including balance sheet and statement of income and expenses signed by an officer of the company. If the applicant is unable to provide a financial statement, please complete [**Attachment A**].
- A completed, signed, Official Gaming Establishment Statement [**Attachment E**] for each check cashing location.
- Attach a list of additional locations where the applicant intends to operate as a check-cashing business. Include complete physical/municipal address, phone number and name of manager. [**Attachment F**]
- A copy of the confirmation letter issued by the Internal Revenue Service Detroit Computing Center showing proof of registration as a Money Services Business or a copy of the letter stating registration is not required. The registration form, FinCen Form 107 and instructions, can be found at website www.fincen.gov.
- Please complete the Certificate of Resolution form to designate additional authorized individuals (ex. attorney, bookkeeper, or other authorized individual) to act on behalf of the applicant in connection with the Check Casher application.

The Commissioner may as he deems necessary conduct examinations to determine that rules, regulations, and statutes are being followed.

For questions regarding this application please contact the Non-Depository Division Licensing Department: 225-925-4660 or ofilicensing@ofi.la.gov.

Applications may be mailed or hand delivered to:

**Office of Financial Institutions
8660 United Plaza Boulevard – 2nd Floor
Baton Rouge, LA 70809**

**Office of Financial Institutions
P. O. Box 94095
Baton Rouge, LA 70804-9095**

INSTRUCTIONS - UNIFORM APPLICATION FOR LICENSURE/REGISTRATION

This application will not be considered complete until this Office receives all fees and required information. Failure to provide all documentation will result in increased processing time and possible denial of the application. Please write something in each blank space.

- No. 1 Full legal name of entity. The only instance in which the "applicant" may be a natural person is if the applicant is a sole proprietorship. Otherwise, the "applicant" is a separate legal entity that will be conducting business. The name inserted on this line must be **identical** to the name filed with the Secretary of State from the state in which you are applying.
- No. 2 If applicant operates under a trade or assumed name, the name inserted on this line must be **identical** to the name that appears on the certificate of registration filed with the proper state authority in which the applicant is applying (Inc.'s and LLC's register trade name with Secretary of State, Sole Proprietor's register assumed name with Clerk of Court) (In the city of New Orleans file with the Registrar of Conveyance).
- No. 3 Street address of the location that will appear on the face of the license. This should be a location that will cash checks.
- No. 4 The mailing address of the applicant if different from No. 3. If the mailing address of the applicant is the same as No. 3, answer N/A.
- No. 5 Main office phone number, fax number, web site and/or e-mail address.
- No. 6 Check the type of organization. Attach copies of Certificate of Authority, Articles of Incorporation or Organization, Partnership Agreement and Bylaws, whichever is applicable.
- No. 7 Insert the state in which the applicant was originally registered and date that the applicant was incorporated, organized or formed.
- No. 8 Out-of-state applicants must submit documentation evidencing that your company/entity is authorized to do business in the state in which you are applying. (Registration Certificate from the proper authority such as the Secretary of State)
- No. 9 Self-explanatory
- No. 10 Self-explanatory
- No. 11 Complete name, address, and phone number of the Registered Agent for Service of Process. (Sole Proprietors answer N/A) Registered Agent must be a person located in the state in which you are applying and must match what was filed with the Louisiana Secretary of State.
- No. 12 Self-explanatory
- No. 13 Self-explanatory
- No. 14 Self-explanatory
- No. 15 List any other states in which the applicant/registrant is conducting or has conducted a similar type of business.
- No. 16 List the name, title, complete address, and percentage of ownership of each director, manager, member, partner, sole proprietor, all 10% or greater equity owners and officers (CEO, CFO, COO, President, EVP, Secretary, Treasurer, or individuals of similar status or function). Additional sheets may be copied and attached if necessary. For purposes of this application "equity owners" includes stockholders, members, or general member if LLC, partners, or limited partners that own equity in the business seeking licensure. If applicant is a subsidiary, list requested information for parent company and all individual having 10% or greater of the parent.
- No. 17 Self-explanatory
- No. 18 Information concerning the parent company if the applicant is a subsidiary and an organizational chart.
- No. 19 Self-explanatory
- No. 20 Self-explanatory

REVISED 10/1/16	UNIFORM APPLICATION FOR LICENSURE/REGISTRATION				TYPE OF LICENSE APPLIED FOR: Check Casher
1.	Full legal name of applicant (<i>attach secretary of state certificate from the state in which you are applying</i>):				
2.	Trade name, d/b/a, or assumed name of applicant, if applicable: (<i>attach registration documentation/certificate</i>)			Fed. Tax I.D.#:	
3.	Principal office street address:				
	City:	State:	Zip Code:	Parish:	
4.	Mailing address (street or post office box):				
	City:	State:	Zip Code:		
5.	Business phone number:		Business fax number:		
	E-mail address:		Web site: www.		
6.	Type Of Organization: <input type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company (LLC)		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> General Partnership		<input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Other (Explain)
7.	State/Commonwealth of Incorporation:		Date of Incorporation/Organization:		
8.	If a foreign corporation or other type of legal entity, state the date that the entity filed with the proper state authority in which the applicant is applying. (e.g. secretary of state), if so required:				
9.	Physical address of location at which the official books and records of the applicant are kept:				
	City:	State:	Zip Code:	Phone No:	
10.	Does applicant engage in <u>any activity</u> through electronic or automated mediums, such as the internet? () If yes, attach description of activity and web site address () No				
11.	Registered agent for service of legal process: (<i>must be located in state/commonwealth in which you are applying</i>) This should be the same as filed with the Louisiana Secretary of State.				
	Name:				
	Address:				
	City:	State:	Zip:	Phone Number:	
12.	Person authorized to answer questions pertaining to this application:				
	Name:				
	Address:				
	City:	State:	Zip Code:	Phone No:	
	E-Mail Address:		Fax No:		

13.	Person authorized to answer regulatory compliance issues:				
	Name:				
	Address:				
	City:	State:	Zip Code:	Phone No:	
	E-Mail Address:		Fax No:		
14.	Person authorized to answer consumer complaints:				
	Name:				
	Address:				
	City:	State:	Zip Code:	Phone No:	
	E-Mail Address:		Fax No:		
15.	List all states in which applicant is conducting or has conducted business related to this application: <i>(attach list if necessary)</i>				
	State or states in which business is/was conducted	Type of business conducted	Names under which applicant <u>is</u> or <u>has</u> operated	Original license date	Active or Inactive
16.	List all principal officers and title held, directors, partners, and members. <i>(attach addendum if necessary)</i>				
	Name & Title	Principal Office Address			% Ownership
	Name & Title	Principal Office Address			% Ownership
	Name & Title	Principal Office Address			% Ownership
	Name & Title	Principal Office Address			% Ownership
	Name & Title	Principal Office Address			% Ownership
	List all persons that have a 10% or greater equity interest not listed above.				
	Name	Principal Office Address			% Ownership
	Name	Principal Office Address			% Ownership
	Name	Principal Office Address			% Ownership

17.	Read the following questions carefully. If the answer is yes to any of the questions, attach a full written explanation. Include names, dates, court name and address, case number, judgment amounts.		
A.	Are there any civil or criminal proceedings pending against the applicant <u>or</u> civil or criminal convictions, plea of nolo contendere or plea to lesser charge entered against the applicant that involve theft, fraud, dishonest dealings or moral turpitude?	() Yes, attach explanation () No	
B.	Is/has the applicant ever been the subject of a bankruptcy, assignment for the benefit of creditors, receivership, conservatorship, or any similar proceeding?	() Yes, attach explanation () No	
C.	Has any other state or federal government agency denied the applicant a license?	() Yes, attach explanation () No	
D.	Is/has the applicant been the subject of any administrative action or enforcement proceeding by any state or federal government agency involving fines, penalties, or the revocation or suspension of any business license or permit?	() Yes, attach explanation () No	
18.	Is applicant a subsidiary?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	Parent company name:		
	Mailing address:		
	City:	State:	Zip Code:
	If applicant's parent company is a corporation, state where and when incorporated.		
	State Incorporated:	Date Incorporated:	
19.	Did you purchase this business from an existing licensee of the Office of Financial Institutions?	() Yes, attach explanation () No	
20.	Did you purchase assets or a loan portfolio from an existing licensee of the Office of Financial Institutions?	() Yes () No	
IN ADDITION TO ALL OF THE ABOVE, APPLICANT MUST SUBMIT THE FOLLOWING ATTACHMENTS:			
A.	Biographical / Authority Sheet completed and notarized for each person listed in Question #16.(See Attachment B)		
B.	A current 10-year employment/experience form for everyone listed in Question #16 and sole proprietors. (See Attachment C)		
C.	Residence addresses for the last 10 years for all individuals listed in #16.(See Attachment D)		
D.	Provide copies of the following, whichever are applicable: 1. If applicant is a corporation, provide a copy of Articles of Incorporation, including amendments. 2. If applicant is a Limited Liability Company (LLC) provide a copy of the Articles of Organization and operating agreement. If no operating agreement exists, provide a notice stating this signed by the members. 3. If applicant is a general partnership or a Limited Liability Partnership (LLP), provide a copy of the Partnership Agreement.		

APPLICATION AFFIDAVIT

Signed this _____ day of _____ 20_____.

Name of Company

By:

Signature of Authorized Person

Print Name and Title

STATE OR COMMONWEALTH OF _____
COUNTY /PARISH OF _____

_____ personally came and appeared before me, the undersigned
(authorized person above)
notary, and declared under oath that she/he is the _____ of
(Title)
_____, that she/he is authorized to sign and submit the attached
(Name of Company)
application and that all statements and representations made therein are true and correct to the best of
his/her knowledge, information and belief.

Signature of the authorized person

Sworn to and subscribed before me on this the _____ day of _____ 20_____.

Notary Public

Print Name of Notary Public

My Commission Expires: _____

(Seal)

LOUISIANA OFFICE OF FINANCIAL INSTITUTIONS
8660 United Plaza Boulevard, 2nd Floor
Baton Rouge, LA 70809
(225) 925-4660

FINGERPRINT CARD INFORMATION

Act 236 of the 2006 Regular Session of the Louisiana Legislature amended LSA-R.S. 6:121.2 effective June 2, 2006. This section authorizes the Commissioner of Financial Institutions to request and obtain state and national criminal history record information on any person applying for any license with the Office of Financial Institutions, as well as require any applicant for any license to submit two full sets of fingerprints in a form or manner prescribed by the Commissioner as a condition of the Commissioner's consideration of their application.

WHO MUST SUBMIT FINGERPRINT CARDS:

- 1) **Owner(s):** Sole Proprietors; partners and general partners if partnership; trustees; members and general members if an LLC; and 10% or greater equity owners.
- 2) **Director(s):** All directors.
- 3) **Officer(s):** Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, President, Executive Vice President(s), Corporate Secretary, Treasurer, or individuals of similar status or function.
- 4) **Manager(s)**

WHAT MUST BE SUBMITTED:

- 1) Two **original** Form FD 258 fingerprint cards or equivalent which can be obtained from your local law enforcement office. In addition to your fingerprints, the cards must have your Social Security Number, date of birth, printed name, and signature. If submitting cards done electronically (digital cards) the fingerprints on each card should be taken separately instead of taken once and printed out twice. A duplicated card that gets rejected may result in an additional \$38.00 processing fee and may delay the processing of your application.
- 2) \$38.00 nonrefundable criminal background processing fee made payable to the Office of Financial Institutions. (This fee is in addition to the application fee.)
- 3) Completed Authority to Obtain Information from Outside Sources form, signed and dated and notarized (included in application packet).
- 4) Completed and signed Louisiana State Bureau of Criminal Identification and Information Form (included in application packet).

IMPORTANT NOTICE

Applicants submitting fingerprint cards that are smudged or unreadable will be required to resubmit new cards. This will add to the processing time of the application.

Attachment [A]

**FINANCIAL REPORT
SECTION I**

I, _____, _____
Name Business Address
 submit herewith the following information and a correct and complete statement of my financial condition as of _____
 to the Office of Financial Institutions, for its confidential use, in connection with _____

(Reason for submitting report)

An answer to **each item** is required. If the answer is "No," "None," or "Not applicable", so state. If an item of information called for is unknown, so state. If space provided on this form is inadequate, **attach** a separate schedule. All such **schedules** should be **signed and dated**.

ASSETS		LIABILITIES	
1) Cash on hand and in financial institutions	\$	9) Accounts payable	
2) Notes, loans and other accounts receivable considered good and collectible		10) Notes payable to others--from Schedule D	
3) Merchandise and inventory at lower of cost or market value		11) Notes payable to others--from Schedule E	
4) Real estate--from Schedule A		12) Real estate mortgages--from Schedule F	
5) Machinery and equipment--at cost less depreciation		13) Interest and taxes due and unpaid--from Schedule G	
6) Marketable securities--from Schedule B		14) Other debts and liabilities--from Schedule H	
7) Life insurance (face amount \$ _____) cash surrender value		TOTAL LIABILITIES	
8) Other assets--from Schedule C		15) NET WORTH	
TOTAL ASSETS	\$	TOTAL LIABILITIES AND NET WORTH	\$

Note: Notes, accounts receivable, mortgages and other assets considered doubtful, and not included in above financial statement have an estimated value of \$ _____.

CONTINGENT LIABILITIES (If none, so state)

In addition to the debts and liabilities listed above, have you endorsed, guaranteed, or become otherwise indirectly or contingently liable for the debts of others? Yes No If "yes", give details in the following schedule.

Name and address of Debtor or Obligor	Name and address of Creditor or Obligor	Description of Collateral	Value of Collateral	Date Obligation		Current Amount
				Incurred	Due	
						\$
					TOTAL	\$

STATEMENT OF INCOME

20__ 20__ 20__ Current Year
(if over 6 months)

Salaries, wages, and commissions from employment				
Income from dividends and interest				
Net income from rents, royalties and investments				
Other Income				
TOTAL INCOME				
Expenses				
NET INCOME				

 SIGNATURE OF APPLICANT REQUIRED

 DATE

Attachment [A] (continued)

SUPPORTING SCHEDULES

Schedules set forth on this page must agree in total with the appropriate item contained in the Financial Statement on Page 1 of this report. **Note:** Please attach a current balance sheet and statement of income relative to any investment, the value of which is not readily ascertainable (such as closely held corporations, partnership interests, etc.) when the investment exceeds 10% of total assets.

Schedule A -- Real Estate Owned

Description and Location	Title in Whose Name	Date Acquired	Cost	Insurance	Current Value	
					\$	
carried forward to item 4, page 1					TOTAL	\$

Schedule B -- Marketable Securities

Description	Amount	Description	Amount	
	\$		\$	
carried forward to item 6, page 1			TOTAL	\$

Schedule C -- Other Assets

Description and Basis for Valuation	Value
	\$
carried forward to item 8, page 1	
TOTAL	\$

Schedule D -- Notes Payable to Financial Institution

Name of Creditor	Security	Date Due	Amount	
			\$	
carried forward to item 10, page 1			TOTAL	\$

Schedule E -- Notes Payable to Others

Name of Creditor	Security	Date Due	Amount	
			\$	
carried forward to item 11, page 1			TOTAL	\$

Schedule F -- Real Estate Mortgages Payable

Name of Creditor	Location of Property	Date due	Amount	
			\$	
carried forward to item 12, page 1			TOTAL	\$

Schedule G -- Interest and Taxes Due and Unpaid

Description	Payable To	Date Due	Amount	
			\$	
carried forward to item 13, page 1			TOTAL	\$

Schedule H -- Other Debts and Liabilities

Description	Date Due	Amount	
		\$	
carried forward to item 14, page 1		TOTAL	\$

AUTHORITY TO OBTAIN INFORMATION FROM OUTSIDE SOURCES**THIS FORM MUST BE SUBMITTED FOR EACH PERSON LISTED IN QUESTION # 16**

Name:	Social Security #:
-------	--------------------

Home Address:

Date of Birth:	Home Telephone No:
----------------	--------------------

Read the following questions carefully. If the answer is "yes" to any of the questions, attach a full written explanation. Include names, dates, court name and address, case number, judgment amounts.

Have you ever been convicted of, pleaded guilty to, or entered a plea of Nolo Contendere (no contest) to a felony, including any which may have been expunged, set aside, or for which you received a first offense pardon?	() Yes, attach explanation () No
---	------------------------------------

Have you ever been convicted of, pleaded guilty to, or entered a plea of Nolo Contendere (no contest) to any misdemeanor involving theft, fraud, or dishonesty, including any which may have been expunged, set aside, for which you received a first offense pardon?	() Yes, attach explanation () No
---	------------------------------------

Have you been refused a license or permit to do business under the provisions of a similar law or subject to any enforcement proceedings by any State or Federal government agency involving the revocation or suspension of any business license or permit, fines or penalties?	() Yes, attach explanation () No
--	------------------------------------

Have you been discharged for cause or been requested to resign from any employment position?	() Yes, attach explanation () No
--	------------------------------------

Have you been the subject of a bankruptcy, assignment for the benefit of creditors, receivership, conservatorship, or any similar proceeding?	() Yes, attach explanation () No
---	------------------------------------

Are there any civil proceedings pending against you or civil judgments entered against you which involve fraud or dishonesty?	() Yes, attach explanation () No
---	------------------------------------

Have any civil judgments been entered against you during the past 10 years?	() Yes, attach explanation () No
---	------------------------------------

I hereby authorize the licensing authority to make inquiries from any financial institution, credit bureau, current and former employers, law enforcement agency, and any other person or any agent acting on its behalf, any information they have, including without limitation my creditworthiness, character, ability, business activities, educational background, general reputation, history of my employment, and in the case of former employers, complete reasons for my termination for the purpose of determining my financial responsibility, character, and fitness in connection with any renewal or application for a license or registration. I affirm that I have executed this form of my own free will and have read and understand the items and instructions; my answers (including attachments) are true and complete to the best of my knowledge. I understand that I am subject to administrative, civil, or criminal penalties if I give false or misleading answers. **FALSE OR MATERIALLY INCOMPLETE ANSWERS ARE GROUNDS FOR DENIAL OR REVOCATION.**

I hereby certify that the information on this form is, to the best of my knowledge, complete and accurate.

Signature

SUBSCRIBED BEFORE ME ON THIS _____ day of _____, 20 _____.

AT: _____, _____
(CITY) (STATE or COMMONWEALTH)

PRINT NAME OF NOTARY PUBLIC:

SIGNATURE OF NOTARY PUBLIC:

**Louisiana State Police
Bureau of Criminal Identification and Information
Baton Rouge, Louisiana**

FORMS MUST BE FILLED OUT IN INK AND BE REVIEWED BY SUBMITTING AGENCY/INDIVIDUAL FOR ACCURACY

FINGERPRINTS ARE NECESSARY FOR A POSITIVE IDENTIFICATION

****PLEASE PRINT****

Louisiana Office of Financial Institutions

FACILITY OR AGENCY

P.O. Box 94095

MAILING ADDRESS

Baton Rouge, Louisiana 70804
CITY STATE ZIP CODE

Michelle Jeansonne

FACILITY OR AGENCY AUTHORIZED REPRESENTATIVE

SIGNATURE OF AUTHORIZED REPRESENTATIVE

(225) 925-4660
FACILITY OR AGENCY PHONE NUMBER

Request For: (pick one only)

- | | |
|---|---|
| <input type="checkbox"/> ADULT DAY CARE | <input type="checkbox"/> MEDICAL EXAMINERS |
| <input type="checkbox"/> ADULT RESIDENTIAL | <input type="checkbox"/> NURSING HOME |
| <input type="checkbox"/> ALCOHOL AND BEVERAGE COMMISSION | <input type="checkbox"/> OCS FOSTER/ADOPTIVE |
| <input type="checkbox"/> ALCOHOL BEVERAGE OUTLET | <input type="checkbox"/> OCS PERSONNEL |
| <input type="checkbox"/> AMBULANCE SERVICE | <input checked="" type="checkbox"/> OFFICE OF FINANCIAL INSTITUTIONS |
| <input type="checkbox"/> CASA | <input type="checkbox"/> OFFICE OF PUBLIC HEALTH |
| <input type="checkbox"/> CONCEALED HANDGUNS | <input type="checkbox"/> PHARMACY BOARD |
| <input type="checkbox"/> CRIMINAL JUSTICE EMPLOYEE | <input type="checkbox"/> POSTSECONDARY EDUCATION |
| <input type="checkbox"/> DAYCARE | <input type="checkbox"/> PRACTICAL NURSING |
| <input type="checkbox"/> DENTISTRY BOARD | <input type="checkbox"/> PRIVATE ADOPTION |
| <input type="checkbox"/> DEPARTMENT OF LABOR | <input type="checkbox"/> PRIVATE INVESTIGATORS |
| <input type="checkbox"/> DEPARTMENT OF PUBLIC SAFETY | <input type="checkbox"/> PRIVATE SECURITY |
| <input type="checkbox"/> EMPLOYERS | <input type="checkbox"/> PUBLIC HOUSING |
| <input type="checkbox"/> FIREFIGHTERS | <input type="checkbox"/> PUBLIC TAG AGENT |
| <input type="checkbox"/> GAMING | <input type="checkbox"/> REGISTERED NURSING |
| <input type="checkbox"/> HOME HEALTH AGENCY | <input type="checkbox"/> RELIGIOUS ACTIVISTS |
| <input type="checkbox"/> HOSPICE | <input type="checkbox"/> RIVERBOAT PILOTS |
| <input type="checkbox"/> IMMIGRATION | <input type="checkbox"/> SCHOOL |
| <input type="checkbox"/> INTERMEDIATE CARE FACILITY FOR MENTALLY RETARDED | <input type="checkbox"/> SENATE AND GOVERNMENTAL AFFAIRS |
| <input type="checkbox"/> JUVENILE DETENTION CENTER | <input type="checkbox"/> TAXI DRIVERS |
| <input type="checkbox"/> DEPARTMENT OF INSURANCE | <input type="checkbox"/> USED MOTOR VEHICLE COMMISSION |
| <input type="checkbox"/> MANUFACTURED HOUSING | <input type="checkbox"/> VOLUNTEERS WORKING WITH CHILDREN |

APPLICANTS FULL NAME: _____

****PRINT - USE INK****
LAST FIRST MIDDLE
{INCLUDE MAIDEN NAME & PREVIOUS MARRIED NAMES IF APPLICABLE}

APPLICANTS SIGNATURE: _____

APPLICANTS SOCIAL SECURITY # ___ - ___ - ___ DATE OF BIRTH: __/__/__

DRIVERS LICENSE # _____ & STATE _____ RACE _____ SEX _____

TYPE OF OFI LICENSE APPLIED FOR _____

AUTHORIZATION TO DISCLOSE CRIMINAL HISTORY RECORDS INFORMATION

By my signature above, I hereby authorize the Louisiana State Police to release all pertinent criminal record information maintained in their files, other states files, or the FBI files (if applicable) which may confirm or deny my eligibility with the facility or agency named above.

Attachment [E] (Complete and submit one form for each check cashing location)

OFFICIAL GAMING ESTABLISHMENT STATEMENT

Full legal name of Applicant

Location address- including street, city, state, zip

will not operate or be situated within 300 feet of any official gaming establishment or docking facility of a riverboat licensed to conduct gaming activities or gaming operations.

Signature of authorized representative

Print name and title

SCHEDULE OF ADDITIONAL LOCATIONS

List all locations where check-cashing services will be performed
(Attach additional sheets if needed)

NOTE: \$50 for each additional location up to a maximum of \$3,000. R.S. 6:1004.1(A).

<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>	<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>
<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>	<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>
<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>	<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>
<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>	<p>_____ (Street Address)</p> <p>_____ (City)</p> <p>_____ (State) _____ (Zip Code)</p> <p>_____ (Parish) _____ (Manager)</p> <p>Telephone: (____) _____</p>

CERTIFICATE OF RESOLUTION

Use this form to designate additional authorized individuals to act on behalf of the Applicant.

Each person listed in the initial application as a director, manager, member, partner, sole proprietor, 10% or greater equity owner and/or executive officer (CEO, CFO, COO, President, EVP, Secretary, Treasurer, or individuals of similar status or function) will be considered authorized to prepare, execute, verify, and present to the Office of Financial Institutions ("OFI") a written application for licensure, registration, documents or subsequent changes in the licensee's records with OFI. Therefore, anyone listed in the initial application is not required to file this form.

This is to certify that at a meeting of the Board of Directors/or Members/ or Partners of

Full legal name of applicant/company

organized under the laws of the State/Commonwealth of _____ held at

Street address

City

State

Zip Code

on the _____ day of _____ 20____, the following resolution was

duly and legally presented and adopted, to wit:

It being the desire and purpose of _____

Full legal name of applicant/company

to be licensed or registered and maintain such license or registration, **BE IT RESOLVED**, that

_____ who is the _____

Name of additional authorized representative

Title of additional authorized representative

of this limited liability company, corporation, limited partnership, or general partnership is in his/her official capacity, hereby authorized and directed to prepare, execute, verify, and present to OFI all requisite papers and documents, including, but not limited to, applications, reports, and licensing forms or subsequent changes in the licensee's records with OFI.

AUTHORIZED SIGNATURE

(If corporation, this form must be signed by the Secretary)

Print Name

TITLE : _____

DATE: _____

LOUISIANA REVISED STATUTES

TITLE 6

BANKS AND BANKING

CHAPTER 12. Currency Exchange Services

(Current through 2016 Regular Legislative Session)

§1001. Title

This Chapter shall be known and may be cited as “The Louisiana Check-Cashing Law”.

§1002. Definitions

For the purposes of this Chapter:

(1)(a) “Check-casher” means an individual, partnership, unincorporated association, or corporation that, for compensation, engages, in whole or in part, in the business of cashing checks, drafts, money orders, or other commercial paper serving the same purpose.

(b) “Check-casher” does not mean either one of the following:

(i) An individual, partnership, unincorporated association, or corporation that charges no fee to the presenter or payor for the cashing of a check, draft, money order, or traveler's check.

(ii) An individual, partnership, unincorporated association, or corporation that cashes a check, draft, money order, or traveler’s check, or other commercial paper if the fee charged does not exceed two dollars and the currency exchange is incidental to the person’s primary business.

(2) “Commissioner” means the commissioner of financial institutions.

(3) “Currency exchange” means the cashing of checks, drafts, money orders, or traveler’s checks, or other commercial paper serving the same purpose by a check-casher.

(4) “Licensee” means a check-casher licensed by the commissioner to engage in business in accordance with this Chapter.

§1003. License; certificates

Beginning January 1, 2000, a person engaging in currency exchange shall obtain a license from the commissioner. A person may engage in such business at more than one location with one license. The commissioner shall issue a certificate for each currency exchange location in addition to the license.

§1004. Application for license and change of control

A. An application for a license under this Chapter shall be made under oath and on a form prescribed by the commissioner.

B. The application form shall provide space for and require disclosure of the following information:

(1)(a) If the applicant is an individual, the full name and address of the individual's residence and principal place of business.

(b) If the applicant is a partnership or association, the full name and address of every member's residence and of the principal place of business of the partnership or association.

(c) If the applicant is a corporation, the corporation's full name and business address of the corporation's principal place of business and the full name and residential address of each of the officers of the corporation.

(2) The name of the currency exchange operation.

(3) The street address of each currency exchange location operated by the applicant.

(4) The applicant's occupations or professions for the ten years preceding the date of application.

(5) The applicant's present and previous activities in currency exchange services in

(6) A criminal history disclosure on the applicant.

(7) The nature of business conducted at any location to be issued a certificate.

C. If the applicant is a partnership, association, or corporation, the information required by Paragraphs (4), (5), and (6) of Subsection B of this Section shall be supplied for each partner, officer, and director, as appropriate.

D. (1) No person shall acquire or control a license through the acquisition or control of more than fifty percent of the ownership interest in a licensee without first having obtained written approval from the commissioner, pursuant to an application for a change of control in ownership of the licensee, filed in the manner and on a form prescribed by the commissioner and accompanied by a fee of three hundred dollars. Any person who acquires controlling interest in a licensee without first having filed an application for change of control with the commissioner shall be deemed to be operating without proper authority and subject to the penalties of this Part.

(2) For the purposes of this Section, a person acquires or controls the licensee when at least one of the following conditions exists:

(a) The person, directly or acting through one or more other persons, owns, controls, or has the power to vote more than fifty percent of any class of stock of the corporation.

(b) The person controls in any manner the election of a majority of the directors of the corporation.

(c) The commissioner determines, after notice and an opportunity for hearing, that the person directly or indirectly exercises a controlling influence over the management or the policies of the licensee.

(3) When the licensee is a limited liability company or a limited liability partnership, the licensee is acquired or controlled if one of the following occurs:

(a) There is a change of members or general partners.

(b) An existing member or general partner acquires or controls the licensee as provided in Paragraph (2) of this Subsection.

(c) The commissioner determines that there has been a significant change in the membership or partnership interests, including but not limited to a change in ownership or control, directly or indirectly affecting twenty-five percent or more of the total interest of the licensee.

(4) A corporation that is a licensee shall notify the commissioner within sixty days of a stockholder becoming a principal stockholder, which is defined for purposes of this Section as owning ten percent or greater of the outstanding stock of the corporation.

E. Any person required to be licensed pursuant to this Chapter shall, prior to application for licensure, be duly registered with the secretary of state and be in possession of a certificate of authority to transact business in this state pursuant to the provision of R.S. 9:3422, R.S. 12:304, or R.S. 12:1345, as applicable.

§1004.1. License fees; online renewal

A. The applicant shall pay to the commissioner a nonrefundable application fee of three hundred fifty dollars with the initial application, plus an additional fee of fifty dollars for each currency exchange location in this state, not exceed three thousand dollars.

B. (1) The licensee shall pay an annual license renewal fee on or before the first day of December of each year for license to engage in currency exchange during the following calendar year of two hundred fifty dollars plus an additional fee of fifty dollars for each currency exchange location in this state, not to exceed three thousand dollars.

(2) If the commissioner has not received the annual renewal fee from a licensee by the sixteenth day of January, as determined by the postmarked date, he shall notify the licensee by United States mail and assess a late fee of one hundred dollars.

(3) If the commissioner has not received the annual renewal fee and late fee by March thirty-first, the license to engage in currency exchange and all certificates issued for currency exchange locations shall lapse without a hearing or notification, and the license and certificates shall not be reinstated. However, the person whose license and certificates have lapsed may apply for a new license and certificates.

4) After the date the licensing system provided for in Subsection C of this Section is available for use, any filing or notification required by the commissioner shall be made through the online-system. Thereafter, the provisions of this Subsection shall expire and no longer have any effect.

C. (1) Beginning January 1, 2015, and thereafter, a licensee may submit through the Nationwide Mortgage Licensing System and Registry his renewal application on or before December thirty-first of each year in a manner and form prescribed by the commissioner.

(2) The renewal application shall be accompanied by a renewal fee of two hundred fifty dollars plus an additional fee of fifty dollars for each currency exchange location in this state, not to exceed three thousand dollars, payable on or before December thirty-first of each year. A renewal application submitted through the Nationwide Licensing System and Registry after December thirty-first and before March first of the following year shall be charged a late fee of one hundred dollars.

(3) If the renewal application is submitted timely on or before December thirty-first, the license shall remain in force and effect until the renewal application is either approved or denied by the commissioner. Nothing in this Paragraph shall preclude the commissioner from implementing any administrative or enforcement actions authorized by this Title for violations of this Chapter or for any material misrepresentation that may have occurred prior to the renewal date of a license.

(4) If the commissioner has not received the renewal fee and late fee before March first, the license to engage in currency exchange shall lapse without hearing or notification, and the license shall not be reinstated. However, the person whose license has lapsed may apply for a new license.

§1004.2. Enforcement powers of the commissioner

A. The commissioner may, in his discretion, conduct such investigations as he deems necessary to ascertain possible violations of this Chapter or any rule, regulation, or order promulgated or issued in connection therewith. Any person who is engaged in or is engaging in or is about to engage in any act or practice which is prohibited by this Chapter or any rule, regulation, or order promulgated or issued in connection therewith, or any person who has failed to act or is failing to act or is about to fail to act under any affirmative duty imposed by this Chapter or any rule, regulation, or order promulgated or issued in connection therewith, shall be subject to appropriate action by the commissioner. Such action shall include but shall not be limited to the issuance of orders to cease and desist or to assess civil money penalties, entering into compliance agreements, seeking injunctive relief from a court of competent jurisdiction, or any combination thereof.

B. The commissioner, in addition to or in place of suspension or revocation of a license, may fine up to five hundred dollars for each violation any person who violates any provision of this Chapter.

C. The commissioner may maintain a civil action in a court of competent jurisdiction to recover such fines, together with any costs and attorney fees incident to such action.

§1005. Qualifications

The commissioner shall evaluate the financial responsibility, financial condition, business experience, and the character and general fitness of the applicant. The commissioner may investigate and consider the qualifications of officers and directors of an applicant to determine whether this qualification has been met.

§1006. Approval or denial of application

A. No later than the sixtieth day after the date a complete application has been received, the commissioner shall approve or deny the application and so notify the applicant.

B. (1) The commissioner shall issue a license to the applicant and a certificate for each currency exchange location if the application has been approved, the qualifications have been met, and the requisite fees have been paid.

(2) If the commissioner denies the application, the commissioner shall notify the applicant in writing of the reasons for denial.

(3) An applicant may appeal the decision of the commissioner pursuant to the Administrative Procedure Act.

C. (1) Any person whose application or renewal application for licensure under this Chapter has been denied for any reason may not reapply for a license under this Chapter until after at least three years from the date of the order of denial unless the commissioner, in his sole discretion, prescribes an earlier or later date.

(2) For purposes of this Subsection:

(a) The term “order” shall mean the date of the commissioner’s notification of denial of the person’s application.

(b) The term “person” shall include the applicant, its owners, and its members if the applicant is a limited liability company, its partners if the applicant is a partnership, its officers and directors if the applicant is a

corporation, and any other person determined by the commissioner, in his sole discretion, to be closely related to the person.

§1007. Change of name or location

A. In the event that a licensee wishes to change its name, trade name, or assumed name and such change is not due to a change in ownership or legal entity, the licensee shall notify the commissioner in writing thirty days prior to such change and submit a fee of fifty dollars per certificate not to exceed three thousand dollars. If the licensee fails to notify the commissioner or remit the required fee within the required thirty days, the commissioner may assess the licensee an amount not to exceed one hundred dollars as a penalty.

B. If a licensee adds a new location or changes the location of a currency exchange, the licensee shall notify the commissioner thirty days prior to such change and submit a fee of fifty dollars per certificate not to exceed three thousand dollars. If a licensee fails to notify the commissioner or remit the required fee within the required thirty days, the commissioner may assess the licensee an amount not to exceed one hundred dollars as a penalty.

C. If the application is approved, the commissioner shall issue a certificate for the new location or locations.

§1008. Suspension or revocation of license; hearing; surrender of license; administrative fines

A. The commissioner may suspend or revoke any license if the commissioner determines any one or more of the following has occurred:

(1) The licensee, or any officer or director of a corporate licensee, has violated any provision of this Chapter.

(2) The licensee or any officer or director of a corporate licensee has violated any provision of law which would indicate that the person is untrustworthy or is not qualified to operate a currency exchange, such as acts of fraud, misrepresentation, and other similar acts.

(3) The commissioner discovers facts that existed when the initial or renewal application for the license was made which would have warranted denial of the license.

(4) The licensee has failed to pay a fine assessed pursuant to this Chapter.

B. (1) A license shall not be suspended or revoked or a fine assessed until after a hearing.

(2) The commissioner shall give the licensee not less than twenty days from the mailing of written notice by certified mail, addressed to the principal place of business of the licensee, of the time and place of hearing.

(3) Any order of the commissioner suspending or revoking a license or assessing a fine shall state the grounds upon which the suspension, revocation, or fine is based and shall state an effective date for the suspension or revocation, or a date by which the fine shall be paid.

C. (1) A suspended or revoked license shall be surrendered by the licensee along with all location certificates to the commissioner in person or by first class mail within seven calendar days of the effective date of the suspension or revocation.

(2) The surrender shall not affect the licensee's civil or criminal liability for acts committed before the surrender, nor shall the surrender affect the liability on the bond required by this Chapter.

(3) The licensee shall not be entitled to a refund of license fees paid.

D. Each transaction in violation of a provision or requirement of this Chapter shall constitute a separate violation.

§1009. Regulation of fees; unreasonable fees; display of fees

A. Notwithstanding any other provision of law to the contrary, no check-casher licensed or regulated under this Chapter shall directly or indirectly charge or collect fees or other consideration for rendering currency exchange services in excess of the following:

(1) Two percent of the total amount of the check presented for cashing or five dollars, whichever is greater, for checks issued by or drawn upon the account of a public welfare or public assistance agency of the United States, the state of Louisiana, or any political subdivision of the state.

(2) Ten percent of the total amount of the check presented for cashing or five dollars, whichever is greater, for all other checks or for money orders.

B. All fees charged by a licensee for rendering currency exchange services shall be prominently displayed on the premises of the currency exchange location in such manner as the commissioner requires.

§1010. Repealed by Acts 2004, No. 370, § 1

§1011. Powers; limitations; prohibitions

A licensee shall not accept money or currency for deposit or act as bailee or agent for any person to hold money or currency in escrow for others for any purpose. However, a licensee may act as agent for a person licensed under the Sale of Checks and Money Transmission Act, Chapter 13 of this Title.

§1012. Violations; criminal penalties; civil liability

A. A violation of any provision or requirement of this Chapter is a misdemeanor and shall be punishable by a fine of not less than two hundred and fifty dollars but not more than five hundred dollars, imprisonment for a term of not more than six months, or both. Each transaction in violation of any provision or requirement of this Chapter shall constitute a separate offense.

B. The commissioner, through an administrative action or the district attorney of any judicial district, may maintain an action to enjoin violations of this Chapter.

C. Costs and reasonable attorney fees shall be awarded to the commissioner or a district attorney in all injunctive actions when the commissioner or district attorney successfully enforces this Chapter.

§1013. Books of account; examinations

A. The licensee shall maintain sufficient books, accounts, and records that will enable the commissioner to determine if the licensee is complying with the provisions of this Chapter and with the rules adopted by the commissioner.

B. A licensee shall preserve the books, accounts, and records for at least two years after making the final entry.

C. (1) The commissioner, through his employees, may examine the records of a licensee at any time during normal business hours without prior notice.

(2) If the licensee's records are located outside this state, the licensee, at the commissioner's option, shall make them available to the commissioner at a location within this state convenient to the commissioner, or pay the

reasonable and necessary expenses for the commissioner or his representatives to examine them at the place where they are maintained. The commissioner may designate representatives, including comparable officials of the state in which the records are located, to inspect them on his behalf.

§1013. 1 Cashing federal and state treasury checks; records retention

A. No licensee shall cash a United States Treasury tax refund check or state tax refund check in an amount of one thousand dollars or greater unless the person requesting that the check be cashed submits any one of the following:

(1) A valid current Louisiana driver's license that contains a photograph of the person presenting the driver's license.

(2) A valid current driver's license of another state that contains a photograph and the date of birth of the person submitting the driver's license

(3) A valid current special identification card issued by the state of Louisiana pursuant to R.S. 40:1321 containing a photograph of the person submitting the identification card.

(4) A valid current passport or visa issued by the federal government or another country or nation, that contains a permanently attached photograph and the date of birth of the person submitting the passport or visa.

(5) A valid current military or federal identification card issued by the federal government containing a photograph and the date of birth of the person submitting the identification card.

B. (1) No form of identification required by Subsection A of this Section shall be accepted as proof of identification if it is expired, defaced, mutilated, or altered. If the state identification card or lawful identification submitted is a duplicate, the person shall submit additional identification that contains the name, date of birth, and photograph of the person. A duplicate driver's license shall be considered lawful identification for the purposes of this Section, and a person shall not be required to submit additional information containing the name, date of birth, and picture of the person.

(2) An education institution identification card, check cashing identification card, or employee identification card shall not be considered as lawful identification for the purposes of this Section.

C. Each licensee shall maintain the following records and information for each United States Treasury tax refund check or state tax refund check in the amount of one thousand dollars or greater cashed by the licensee:

(1) The date on which the check is cashed.

(2) The number of the check and the face amount of the check.

(3) The name of the drawer of the check that is cashed.

(4) The name, home address, and the date of birth of the person for whom the check is cashed and a copy of the photo identification presented as required in this Section.

(5) A copy of the front and back of the check that is cashed.

D. Notwithstanding the provision of R.S. 6:1013(B), each licensee shall maintain the records and information required by the Section for at least three years from the date on which the check is cashed.

§1014. Rules and regulations

The commissioner shall promulgate such rules and regulations as he deems necessary to administer and enforce this Chapter, pursuant to the Administrative Procedure Act.

§1015. False advertising

A. A licensee may not advertise, print, display, publish, distribute, or broadcast any statement or representation that is false, misleading, or deceptive or that omits material information.

B. A licensee shall post accurate information concerning the check-cashing fees or percentages charged in a prominent location on the premises.

§1016. Applicability

This Chapter shall not apply to any bank, trust company, savings bank, savings and loan association, or credit union

LOUISIANA REVISED STATUTES

TITLE 6.

BANKS AND BANKING

CHAPTER 4. Prohibited Practices; Sanctions

(Current through 2016 Regular Legislative Session)

§423. Check-cashing facility; location of business limited

A. No license shall be granted for the operation of a check-cashing facility which will be situated within three hundred feet or less of any official gaming establishment or designated docking facility of a riverboat licensed to conduct gaming activities or gaming operations pursuant to Chapter 4 or 5 of Title 27 of the Louisiana Revised Statutes of 1950. As to official gaming establishments, this distance shall be measured as a person walks using the sidewalk from the nearest point of the property line of the official gaming establishment to the nearest point of the facility. As to docking facilities, this distance shall be measured in a straight line from the nearest point of the docking facility to the nearest point of the check-cashing facility.

B. The subsequent construction, erection, development, or movement of an official gaming establishment or designated docking facility which causes a check-cashing facility to be located within the prohibited distance shall not be cause for revocation, withholding, denial, or nonrenewal of a license.

C. For purposes of this Section, “check-cashing facility” means a facility whose primary business is the cashing of checks, drafts, money orders, or travelers checks for a fee. The term does not include a bank, trust company, savings bank, savings and loan association, or credit union.

D. The provisions of this Section shall not apply to an individual, partnership, unincorporated association, or corporation that charges no fee to the presenter or payor for the cashing of a check, draft, money order, or traveler’s check.

Notice

Please note that the excerpted version of this statute contained herein is unofficial and should not be relied on when making legal determinations affecting a person’s rights or obligations without first consulting with competent legal counsel. A complete, but unofficial, copy of the entire Louisiana Revised Statutes is available through the State of Louisiana on the Louisiana Legislature’s website located at www.legis.louisiana.gov.

MINIMUM CHECK CASHER ANTI-MONEY LAUNDERING (AML) PROGRAM REQUIREMENTS

The anti-money laundering compliance program must be in writing and must be reasonably designed to prevent the check casher from being used to facilitate money laundering and the financing of terrorism. At a minimum, the program must contain the following (4) items:

1. Incorporate policies, procedures and internal controls reasonably designed to assure Compliance with the Bank Secrecy Act (BSA) including:
 - Verifying customer identification
 - Filing reports
 - Detecting suspicious activity
 - Creating and retaining records; and
 - Responding to law enforcement requests

(Examples of the abovementioned policies and procedures may include dictating the limits that will be cashed, what types of verification will take place based on certain thresholds, and what documentation is required to cash the check based on the amount. In addition, is approval needed to cash a check over a certain size, how are customers identified, for what time period does the company retain records, how are requests from law enforcement handled, what procedures are maintained for filing currency transaction reports(CTR's)?, etc.)

2. Designate a compliance officer to assure day-to-day compliance with the program. The responsibilities of such person include assuring that:
 - The business properly files reports and creates and retain records;
 - The compliance program is updated as necessary to reflect current requirements and related guidance issued by the Department of Treasury; and
 - The business provides appropriate training and education.

(Your compliance officer should have knowledge of record keeping and reporting requirements, training procedures and an overall knowledge of BSA.)

3. Provide for ongoing training or appropriate personnel concerning their responsibilities under the program, including training in the detection of suspicious transactions.

(The check casher must ensure that appropriate personnel are trained in applicable aspects of the BSA. Training should include regulatory requirements and the check casher's BSA/AML policies and procedures. The check casher should also document the training of all employees. At a minimum, the training program must provide training for all personnel whose duties require knowledge of the BSA. The training should be tailored to the person's specific responsibilities. In addition, an overview of the BSA/AML requirements should be given to new staff members.)

4. Provide for an independent review to monitor and maintain an adequate program.

- The scope and frequency of the review should be commensurate with the risk of the financial services provided by the check casher. Such review may be conducted by an officer or employee of the check casher so long as the reviewer is not the person designated as the compliance officer.

(At a minimum, independent testing should include:

-An evaluation of the overall effectiveness of the BSA/AML compliance program, including policies and procedures.

-A review of the risk assessment for reasonableness given the risk profile of the check casher (products, services, customers, and geographic locations).

-Appropriate transaction testing to verify adherence to the BSA recordkeeping and reporting requirements (e.g., CTRs and information sharing requests).

-An evaluation of management's efforts to resolve violations and deficiencies noted in previous audits and regulatory examinations, including progress in addressing outstanding supervisory actions if applicable.

-A review of staff training for adequacy, accuracy, and completeness.

-Documentation of when the review was performed and the details of the review)