

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SESSION LAW 2026-45
HOUSE BILL 920

AN ACT TO ENACT THE VIRTUAL CURRENCY KIOSK CONSUMER PROTECTION ACT.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 53 of the General Statutes is amended by adding a new Article to read:

"Article 26.

"Virtual Currency Kiosk Consumer Protection Act.

"§ 53-441. Short title.

This Article may be cited as the Virtual Currency Kiosk Consumer Protection Act.

"§ 53-442. Definitions.

The following definitions apply in this Article:

- (1) Bank Secrecy Act. – The Bank Secrecy Act, 31 U.S.C. § 5311, et seq., and its implementing rules and regulations, as amended and recodified from time to time.
- (2) Blockchain. – A distributed digital ledger or database which is chronological, consensus-based, decentralized, and mathematically verified in nature.
- (3) Blockchain analytics. – A software service that uses data from various virtual currencies and their applicable blockchains to provide a risk rating specific to digital wallet addresses from users of virtual currency kiosks.
- (4) Commissioner. – The Commissioner of Banks of the State of North Carolina.
- (5) Digital wallet. – Hardware or software that enables individuals to store and use virtual currency.
- (6) Digital wallet address. – An alphanumeric identifier representing a destination on a blockchain for a virtual currency transfer that is associated with a digital wallet.
- (7) Dollar. – The United States dollar.
- (8) Existing virtual currency customer. – A person whose first transaction with a licensee to transmit virtual currency occurred more than 30 days ago.
- (9) Fiat currency. – A medium of exchange that is authorized or adopted by the United States government as part of its currency and is not backed by a commodity.
- (10) Individual. – A natural person.
- (11) New virtual currency customer. – A person that has no previous transactions with a licensee to transmit virtual currency or a person whose first transaction with a licensee to transmit virtual currency occurs within the past 30 days.
- (12) NMLS. – The Nationwide Multistate Licensing System and Registry developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the State Regulatory Registry, LLC, or any successor or affiliated entity, for the licensing and registration of persons in financial services industries.



- (13) Prevailing market value. – The value, in dollars, to buy or sell a particular virtual currency, as applicable, at the time of the transaction, as quoted on a virtual currency exchange operated by a licensee based in the United States and having sufficient transaction volume to reflect the prevailing market price of the virtual currency.
- (14) Spread. – The amount, in dollars, of any difference between the dollar price of the virtual currency that is charged to the customer to buy, sell, exchange, swap, or convert the virtual currency and the prevailing market value of the virtual currency at the time of the transaction.
- (15) United States PATRIOT Act. – The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 and its implementing rules and regulations, as amended and recodified from time to time.
- (16) Virtual currency. – Any type of digital unit that is used as a medium of exchange or a form of digitally stored value or that is incorporated into payment system technology. Virtual currency includes digital units of exchange that (i) have a centralized repository or administrator, (ii) are decentralized and have no centralized repository or administrator, or (iii) may be created or obtained by computing or manufacturing effort. Virtual currency does not include digital units that are used (i) solely within online gaming platforms with no market or application outside of the gaming platforms or (ii) exclusively as part of a consumer affinity or rewards program and can be applied solely as payment for purchases with the issuer or other designated merchants but cannot be converted into or redeemed for fiat currency.
- (17) Virtual currency kiosk. – Any fully automated electronic machine owned, operated, or used by a virtual currency kiosk operator that enables the owner or operator to facilitate the transfer of fiat currency to a public key that is recorded on the blockchain, as directed by the customer.
- (18) Virtual currency kiosk operator. – A corporation, limited liability company, limited liability partnership, or foreign entity qualified to do business in the State that operates a virtual currency kiosk within the State. The term does not include a business location, property owner, lessee, or other person that provides space for a virtual currency kiosk manufactured or distributed by a third party.

"§ 53-443. Confidentiality.

(a) Except as otherwise provided in this section, all information or reports obtained by the Commissioner from a virtual currency kiosk operator and all information contained in or related to an examination, investigation, operating report, or condition report prepared by, on behalf of, or for the use of the Commissioner are confidential and are subject to confidential treatment as set forth in G.S. 53-208.59 and G.S. 53C-2-7.

(b) Information contained in the records of the Commissioner that is not confidential and may be available to the public either on the Commissioner's website, upon receipt by the Commissioner of a written request, or in NMLS includes:

- (1) The name, business address, telephone number, and unique identifier of a virtual currency kiosk operator.
- (2) The business address of a virtual currency kiosk operator's registered agent for service.
- (3) Copies of any final orders of the Commissioner relating to any violation of this Article or rules implementing this Article.

"§ 53-444. Relationship to federal law.

If anything in this Article is inconsistent with federal law, including, but not limited to, the Bank Secrecy Act or the United States PATRIOT Act, the applicable federal law shall govern to the extent of any inconsistency. Any provision of this Article that imposes stricter requirements or affords greater rights, protections, or remedies to consumers than federal law shall not be deemed inconsistent with federal law unless specifically preempted.

"§ 53-445. Supervision.

(a) The Commissioner may request evidence of compliance with this Article or a rule adopted or order issued under this Article as reasonably necessary or appropriate to administer and enforce this Article, and other applicable law, including the Bank Secrecy Act and the United States PATRIOT Act.

(b) A virtual currency kiosk operator shall provide the Commissioner all records the Commissioner may reasonably require to ensure compliance with this Article.

"§ 53-446. Disclosures.

(a) Disclosures of Material Risks. – As part of establishing a relationship with a customer, and prior to entering into an initial transaction for, on behalf of, or with the customer, each virtual currency kiosk operator shall disclose in clear, conspicuous, and legible writing in the English language, whether in accessible terms of service or elsewhere, all material risks associated with its products, services, and activities and virtual currency generally, including disclosures substantially similar to the following:

"Virtual currency is not legal tender, is not backed by the government, and accounts and value balances are not subject to Federal Deposit Insurance Corporation or Securities Investor Protection Corporation protections.

Transactions in virtual currency may be irreversible, and, accordingly, losses due to fraudulent or accidental transactions may not be recoverable.

The nature of virtual currency may lead to an increased risk of fraud or cyber attack.

The nature of virtual currency means that any technological difficulties experienced by the virtual currency kiosk operator may prevent the access or use of a customer's virtual currency.

Any bond or trust account maintained by the virtual currency kiosk operator for the benefit of its customers may not be sufficient to cover all losses incurred by customers."

(b) Disclosure of General Terms and Conditions. – When opening an account for a new customer, and prior to entering into an initial transaction for, on behalf of, or with the customer, each virtual currency kiosk operator shall disclose in clear, conspicuous, and legible writing in the English language, whether in accessible terms of service or elsewhere, all relevant terms and conditions associated with its products, services, and activities and virtual currency generally, including disclosures substantially similar to the following:

- (1) The customer's liability for unauthorized virtual currency transactions.
- (2) Under what circumstances the virtual currency kiosk operator will, absent a court or government order, disclose information concerning the customer's account to third parties.
- (3) The customer's right to receive periodic account statements and valuations from the virtual currency kiosk operator.
- (4) The customer's right to receive a receipt, trade ticket, or other evidence of a transaction.
- (5) The customer's right to prior notice of a change in the virtual currency kiosk operator's rules or policies.
- (6) The amount of the transaction denominated in dollars as well as the applicable virtual currency.
- (7) Any fees or expenses charged by the virtual currency kiosk operator.
- (8) Any applicable exchange rates.
- (9) Other disclosures as are customarily given in connection with the opening of customer accounts.

(c) Warning Disclosure. – Prior to entering into a virtual currency transaction with a customer, each virtual currency kiosk operator shall ensure a warning is disclosed to a customer substantially similar to the following:

"Customer Notice. Please Read Carefully.

Were you contacted by someone urging you to use this kiosk? If so, you may be the victim of a scam, and you should NOT PROCEED with the transaction. Scammers often pretend to be:

- Your bank;
- Your software provider (these scammers often make contact through a pop-up message on your computer);
- A new friend or romantic interest who needs money (or who can help you invest in cryptocurrency);
- The police;
- A government agency (such as Social Security, Medicare, or the IRS);
- A utility;
- An investment advisor;
- A legal official (who may say that you have a criminal warrant or missed jury duty or owe bail money); or
- A legitimate sweepstakes (claiming you won the lottery and have to prepay to receive your winnings).

DO NOT USE THIS KIOSK under any of these circumstances or other situations where you are pressured to make a payment through a kiosk. Also, you should immediately report the scam to law enforcement.

I understand that the purchase and sale of cryptocurrency is a final irreversible and nonrefundable transaction.

I confirm I am sending funds to a wallet I own or directly have control over. I confirm that I am using funds gained from my own initiative to make my transaction."

(d) Interactive Fraud-Screen Requirement. – In addition to all disclosures required under this section, each virtual currency kiosk shall implement an interactive fraud-screen process meeting all of the following requirements:

- (1) For each required disclosure required by this section, the kiosk shall display a dedicated screen that does all of the following:
 - a. Restates the disclosure in clear, conspicuous, and plain language.
 - b. Asks the customer: "Does this fraud warning apply to you or your situation?" with selectable options "Yes" and "No".
- (2) Each fraud screen shall remain visible and non-interactive for not less than 10 seconds before the customer may select an option or proceed. The kiosk shall display a countdown timer or other indicator showing the remaining time.
- (3) If the customer selects "Yes" on any fraud screen, the kiosk shall do all of the following:
 - a. Immediately terminate the transaction.
 - b. Display a message stating that the transaction has been stopped for the customer's protection.
 - c. Disable the customer's account, wallet address, phone number, or other unique identifier used for kiosk access for a period of not less than 24 hours.
- (4) A kiosk operator shall not allow any customer to bypass, skip, accelerate, or otherwise avoid the fraud-screen process required by this subsection.

(e) Disclosures Before Each Transaction. – Prior to the completion of each virtual currency transaction, each virtual currency kiosk operator shall ensure the following is disclosed in a clear and conspicuous manner to the customer:

- (1) All fees and charges associated with the transaction.

- (2) The exchange rates.
- (3) The spread.
- (4) Any customer liability.

"§ 53-447. Prohibition on QR Code or Scan-Based Login.

(a) Ban on QR Code, Barcode, and Similar Login Methods. – A kiosk operator shall not implement any feature, workflow, or device that enables a customer to access, authenticate, or log in to an account, wallet, or transaction interface through a QR code, barcode, or similar scan-based mechanism, including any of the following:

- (1) Scanning a code displayed on a mobile device.
- (2) Scanning a printed code linked to a customer account.
- (3) Using a camera-based or optical-reader login process that substitutes for manual entry.

(b) Permitted Authentication Methods. – Customer authentication at a virtual currency kiosk is limited to any of the following:

- (1) Manual entry of a phone number, account identifier, or other unique customer credential.
- (2) Manual entry of any verification code sent to the customer.
- (3) An additional authentication method approved by the Commissioner that does not rely on optical scanning or automated code-reading.

(c) Technical Safeguards. – Each kiosk shall disable or physically block any camera, optical reader, or scanning component unless required for identity-verification purposes expressly authorized by this Article and approved by the Commissioner.

"§ 53-448. Receipts.

(a) An owner of a virtual currency kiosk or a virtual currency kiosk operator, upon the completion of a virtual currency transaction, shall provide to the customer a receipt containing:

- (1) The name of, and contact information for, the owner of the virtual currency kiosk or the virtual currency kiosk operator, including the owner of the virtual currency kiosk's or the virtual currency kiosk operator's business address and a customer service telephone number established by the owner of a virtual currency kiosk or the virtual currency kiosk operator to answer questions and register complaints.
- (2) The name of the customer.
- (3) The type, value, date and precise time of the virtual currency transaction, transaction hash or identification number, and each virtual currency address.
- (4) The amount of the virtual currency transaction expressed in dollars.
- (5) The public virtual currency address of the customer.
- (6) The unique identifier of the virtual currency kiosk operator.
- (7) Any fee charged, including a fee charged directly or indirectly by the owner of the virtual currency kiosk or the virtual currency kiosk operator or a third party involved in the virtual currency transaction.
- (8) The exchange rate of the virtual currency to dollars.
- (9) Any tax collected by the owner of the virtual currency kiosk or the virtual currency kiosk operator for the virtual currency transaction.
- (10) A statement of the liability of the owner of the virtual currency kiosk or the virtual currency kiosk operator for nondelivery or delayed delivery.
- (11) A statement of the refund policy of the owner of the virtual currency kiosk or the virtual currency kiosk operator.
- (12) The name and telephone number of the Commissioner, and a statement disclosing that customers may contact the Commissioner with questions or complaints about virtual currency kiosk services provided by the owner or operator of the virtual currency kiosk.

- (13) The name of the licensed virtual currency exchange the operator used to calculate the spread.
- (14) The name and contact information of the designated recipient of the controllable electronic record transaction.
- (15) Any additional information the Commissioner may require.

(b) The receipt required under subsection (a) of this section shall be provided as a physical written receipt unless the customer requests to receive an electronic receipt. The receipt shall satisfy all of the following:

- (1) Have a retainable form.
- (2) Be written in English and in the language principally used by the owner of the virtual currency kiosk or the virtual currency kiosk operator to advertise, solicit, or negotiate, orally or in writing.

"§ 53-449. Blockchain analytics.

All virtual currency kiosk operators shall use blockchain analytics software to assist in the prevention of sending purchased virtual currency from a virtual currency kiosk operator to a digital wallet known to be affiliated with fraudulent activity at the time of a transaction. The Commissioner may request evidence from any virtual currency kiosk operator of current use of blockchain analytics.

"§ 53-450. Customer service.

Each virtual currency kiosk operator performing business in the State must, at a minimum, provide live customer service at all times that the operator's virtual currency kiosks are available for public use. The customer service toll-free number must be displayed on the virtual currency kiosk or the virtual currency kiosk screens.

"§ 53-451. Anti-fraud policy.

All virtual currency kiosk operators shall take reasonable steps to detect and prevent fraud, including establishing and maintaining a written anti-fraud policy. The anti-fraud policy shall, at a minimum, include:

- (1) The identification and assessment of fraud-related risk areas.
- (2) Procedures and controls to protect against identified risks.
- (3) Allocation of responsibility for monitoring risks.
- (4) Procedures for the periodic evaluation and revision of the anti-fraud procedures, controls, and monitoring mechanisms.

"§ 53-452. Compliance policies.

(a) Each virtual currency kiosk operator is required to comply with the provisions of this Article, any lawful order, or rule, made or issued under the provisions of this Article, and all applicable federal and State laws, rules, and regulations.

(b) Each virtual currency kiosk shall maintain, implement, and enforce written compliance policies and procedures. Those policies and procedures must be reviewed and approved by the virtual currency kiosk operator's board of directors or an equivalent governing body of the virtual currency kiosk operator.

"§ 53-453. Compliance officer.

(a) Each virtual currency kiosk operator shall designate and employ a compliance officer with the following requirements:

- (1) The individual must be qualified to coordinate and monitor compliance with this Article and all other applicable federal and State laws, rules, and regulations.
- (2) The individual must be employed full time by the virtual currency kiosk operator.
- (3) The designated compliance officer cannot be any individual who owns more than twenty percent (20%) of the virtual currency kiosk operator by whom the individual is employed.

(b) Compliance responsibilities required under federal and State laws, rules, and regulations shall be completed by full-time employees of the virtual currency kiosk operator.

"§ 53-454. Consumer protection officer.

Each virtual currency kiosk operator shall designate and employ a consumer protection officer with each of the following requirements:

- (1) The individual must be qualified to coordinate and monitor compliance with this Article and all other applicable federal and State laws, rules, and regulations.
- (2) The individual must be employed full time by the virtual currency kiosk operator.
- (3) The designated consumer protection officer cannot be an individual who owns more than twenty percent (20%) of the virtual currency kiosk operator by whom the individual is employed.

"§ 53-455. Reporting virtual currency kiosk locations.

(a) Each virtual currency kiosk operator shall submit a report of the location of each virtual currency kiosk located within the State within 45 days of the end of the calendar quarter. The Commissioner shall formulate a system for virtual currency kiosk operators to submit location information consistent with the requirements of this section.

(b) The location report shall include, at a minimum, the following regarding the location where a virtual currency kiosk is located:

- (1) Company legal name.
- (2) Any fictitious or trade name.
- (3) Physical address.
- (4) Start date of operation of virtual currency kiosk at location.
- (5) End date of operation of virtual currency kiosk at location, if applicable.

"§ 53-456. Money transmitter license.

Any virtual currency kiosk operator who owns, operates, solicits, markets, advertises, or facilitates virtual currency kiosks in this State is deemed to be engaged in money transmission and requires licensure under Article 16B of this Chapter.

"§ 53-457. Virtual currency customers; daily limit; refunds; cancellation; fees.

(a) Daily Limit. – A virtual currency kiosk operator shall impose a daily transaction limit equivalent to the following dollar values for transmissions of virtual currency through one or more of the virtual currency kiosk operator's kiosks:

- (1) Two thousand dollars (\$2,000) for a new virtual currency customer.
- (2) Five thousand dollars (\$5,000) for an existing virtual currency customer.

(b) Refunds. – A virtual currency kiosk operator shall provide refunds as follows:

- (1) The virtual currency kiosk operator shall refund the full dollar amount deposited into a kiosk if all of the following apply:
 - a. The person reported the fraudulent nature of the transmission to the Commissioner within 30 days of the transmission.
 - b. The Commissioner determined that the transaction was fraudulent in accordance with the Commissioner's established procedures.
 - c. The person was a new virtual currency customer at the time of the transaction.
- (2) The virtual currency kiosk operator shall refund fees imposed by the operator if all of the following apply:
 - a. The person reported the fraudulent nature of the transmission to the Commissioner within 30 days of the transmission.
 - b. The Commissioner determined that the transaction was fraudulent in accordance with the Commissioner's established procedures.

c. The person was an existing virtual currency customer at the time of the transaction.

(c) Cancellation of Transaction. – A customer shall have the option to cancel any transaction and receive a full and immediate refund if the cancellation is done before the transaction is completed. The kiosk shall provide a receipt compliant with G.S. 53-448 for any cancelled transaction.

(d) Fees. – The aggregate fees and charges directly or indirectly charged to a customer related to a single transaction or series of related transactions involving virtual currency effected through a virtual currency kiosk in this State, including the spread, shall not exceed twelve percent (12%) of the dollar equivalent of the virtual currency involved in the transaction or transactions.

"§ 53-458. Mandatory hold on transactions.

(a) 48-Hour Transaction Hold. – A virtual currency kiosk operator shall impose a 48-hour hold on all transactions initiated by a customer whose first transaction occurred within the past seven days. During this hold period, the virtual currency kiosk shall do all of the following:

- (1) Accept the transaction request and record all required information.
- (2) Not transmit, transfer, or make available any virtual currency to the customer.
- (3) Display a notice informing the customer that the transaction will not be completed until the expiration of the 48-hour hold.

(b) Prohibition on Early Releases. – A virtual currency kiosk operator shall not release, settle, or complete any transaction subject to the 48-hour hold before the hold period expires, regardless of customer request, operator discretion, or automated system behavior.

(c) Multiple Transactions During Hold Period. – If multiple transactions are initiated by a customer during the initial seven-day period, each transaction is subject to its own 48-hour hold, measured from the time that transaction was initiated.

"§ 53-459. Enforcement.

(a) A violation of this Article is an unfair trade practice under G.S. 75-1.1.

(b) The Commissioner may impose a civil penalty on any virtual currency kiosk operator that violates this Article in an amount of not more than one thousand dollars (\$1,000) for a first offense and five thousand dollars (\$5,000) for subsequent offenses.

"§ 53-460. Facilitating or inducing a fraudulent virtual currency kiosk transaction a misdemeanor.

It is unlawful for any person to facilitate or induce a fraudulent virtual currency kiosk transaction. Any person that violates this section is guilty of a Class 1 misdemeanor. The mere operation, ownership, leasing, or management of a virtual currency kiosk without additional conduct that facilitates or induces a transaction does not constitute a violation of this section.

"§ 53-461. Local government authority not preempted.

(a) No Preemption of Local Authority. – This Article does not preempt, restrict, or otherwise limit the authority of a city or county to regulate virtual currency kiosks through zoning, land-use controls, development regulations, or other ordinances adopted pursuant to Chapter 160D of the General Statutes, provided the ordinances do not conflict with the express provisions of this Article.

(b) Authority to Regulate or Prohibit Virtual Currency Kiosks as a Land Use. – A city or county may regulate virtual currency kiosks as a distinct land-use category through its zoning ordinance by doing any of the following:

- (1) Designating the zoning districts in which virtual currency kiosks are permitted or prohibited.
- (2) Imposing reasonable conditions on the siting, placement, density, or operation of the virtual currency kiosks.
- (3) Prohibiting the operation of virtual currency kiosks within the jurisdiction or any portion thereof.

(c) Uniform Application. – Any zoning regulation adopted pursuant to this section shall apply uniformly to all virtual currency kiosk operators.

(d) Construction. – This section shall be liberally construed to preserve local authority to regulate the land-use impacts, public safety considerations, and community-planning concerns associated with virtual currency kiosks.

"§ 53-462. Additional authorities and remedies.

The implementation, administrative authority, and enforcement provisions of Article 16B of this Chapter apply to this Article."

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application and, to that end, the provisions of this act shall be severable.

SECTION 3.(a) No later than January 1, 2027, the Commissioner shall adopt a procedure for determining when a virtual currency transaction is fraudulent, along with other rules necessary to implement the provisions of this act.

SECTION 3.(b) This section is effective when it becomes law.

SECTION 4. Except as otherwise provided, this act becomes effective January 1, 2027, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 2nd day of July, 2026.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

s/ Josh Stein
Governor

Approved 9:44 a.m. this 7th day of July, 2026