

State of Wisconsin



2025 Assembly Bill 968

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2025 WISCONSIN ACT 226

AN ACT to create 217.12 of the statutes; relating to: virtual currency kiosks.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 217.12 of the statutes is created to read:

217.12 Virtual currency kiosks. (1) DEFINITIONS.

In this section:

(a) "Automated teller machine" has the meaning given in s. 134.85 (1) (a) and includes customer bank communications terminals under s. 221.0303, remote service units under ss. 214.04 (21) and 215.13 (46), and remote terminals under s. 186.113 (15).

(b) "Fiat currency" means a medium of exchange that is authorized or adopted by the federal government as part of its currency and is not backed by a commodity.

(c) "Law enforcement agency" has the meaning given in s. 165.83 (1) (b).

(d) "Transaction" means a transaction conducted by means of a virtual currency kiosk.

(e) "Virtual currency" has the meaning given in s. 177.01 (16).

(f) "Virtual currency kiosk" means an electronic terminal or retail location, in this state, from which a person may exchange fiat currency for virtual currency or virtual currency for fiat currency or other virtual currency, including by connecting to a separate virtual currency exchange.

(g) "Virtual currency kiosk operator" means a person engaged in the business of operating virtual currency kiosks in this state.

(2) LICENSE REQUIRED. No person may engage in the business of operating virtual currency kiosks in this state unless the person is licensed under this chapter.

(3) WARNING. (a) A virtual currency kiosk operator shall affix to the front of each virtual currency kiosk, within the customer's field of vision, the following printed warning, capitalized and underlined as indicated:

"**FRAUD ALERT!** Criminals seek to defraud virtual currency customers by impersonating loved ones, government officials, law enforcement officers, or charities; threatening jail time; stating that your identity was stolen or your accounts frozen; or claiming your computer was hacked. **IF SOMEONE YOU DON'T KNOW IS ASKING YOU TO SEND VIRTUAL CURRENCY FROM THIS MACHINE, DO NOT PROCEED WITH THE TRANSACTION.** **LOSSES DUE TO FRAUDULENT OR ACCIDENTAL TRANSACTIONS MAY NOT BE RECOVERABLE.**

NOTICE: Virtual currency may be traded for free in online exchanges."

(b) A virtual currency kiosk operator shall ensure that, as part of each virtual currency kiosk transaction, the warning under par. (a) is also displayed electronically on the virtual currency kiosk screen before any other disclosure appears on the screen and that the customer affirmatively acknowledges the warning before the customer may proceed with the transaction.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

(c) The warning affixed to the front of a virtual currency kiosk under par. (a) shall be printed in type size no smaller than 20 point.

(4) CUSTOMER IDENTIFICATION. (a) *Collection of information.* Before entering into an initial transaction with an individual, a virtual currency kiosk operator shall verify the individual's identity by doing all of the following:

1. Collecting all of the following information pertaining to the individual:
 - a. Full legal name.
 - b. Date of birth.
 - c. Telephone number.
 - d. Residence address.
 - e. Email address.
2. Obtaining a copy of the individual's driver's license, passport, or other government-issued identification document that identifies the individual.

(b) *Identity verification for each transaction.* In each transaction with a customer, a virtual currency kiosk operator shall do all of the following:

1. Verify the customer's identity before accepting payment from or dispensing funds to the customer.
2. Take a photograph of the customer in a retainable format at the virtual currency kiosk.

(c) *False or multiple identities.* 1. A virtual currency kiosk operator may not complete a transaction with a customer unless the virtual currency kiosk operator has verified the customer's identity as provided in par. (b) 1.

2. A virtual currency kiosk operator may not allow a customer to engage in a transaction under any name or identity other than the customer's own true name and identity, or under any account other than an account associated with the customer's true name and identity.

(5) VIRTUAL CURRENCY KIOSK LOCATION. (a) *Notice.* A virtual currency kiosk operator shall provide notice of the location of each virtual currency kiosk to a law enforcement agency having territorial jurisdiction at that location. The virtual currency kiosk operator shall provide this notice before entering into its first transaction with an individual at that location.

(b) *Automated teller machines.* A virtual currency kiosk operator may not locate a virtual currency kiosk within 5 feet of, or operate a virtual currency kiosk that also functions as, an automated teller machine.

(6) TRANSACTION RESTRICTIONS AND REFUNDS. (a) *Daily transaction limit.* A virtual currency kiosk operator may not accept from or dispense to a customer, by means of any virtual currency kiosk, more than a total of \$1,000 in fiat currency in the same day.

(c) *Refund in certain circumstances.* Upon request of a customer, a virtual currency kiosk operator shall issue a refund to the customer for the full amount of any

transaction, including any fees charged in association with the transaction, if, not later than 30 days after the transaction, the customer contacted the virtual currency kiosk operator and the department of justice, the department of financial institutions, or a law enforcement agency to inform them of the fraudulent nature of the transaction.

(7) OPERATIONAL REQUIREMENTS; FRAUD PREVENTION. (a) *Customer service.* A virtual currency kiosk operator shall provide live customer service through a toll-free telephone number during all hours in which any of its virtual currency kiosks is operable. The virtual currency kiosk operator shall display this telephone number on the exterior or a screen of each virtual currency kiosk.

(b) *Receipts.* Upon completion of a transaction, a virtual currency kiosk operator shall provide to the customer a physical and electronic receipt containing all of the following information:

1. The name and contact information of the virtual currency kiosk operator, including a telephone number established by the virtual currency kiosk operator to answer questions and register complaints.
2. Identification of relevant state law enforcement agencies and government agencies for reporting fraud.
3. The type, value, date, and precise time of the transaction, along with the transaction hash and each applicable electronic record address.
4. The name and contact information of both the sender and the designated recipient of the transaction.
5. All fees charged.
6. The exchange rate to U.S. dollars, if applicable.
7. A statement of the liability of the virtual currency kiosk operator for nondelivery or delayed delivery.
8. A statement of the virtual currency kiosk operator's refund policy.
9. Any additional information the department of financial institutions requires.

(c) *Antifraud policy.* A virtual currency kiosk operator shall take reasonable steps to detect and prevent fraud, including establishing and maintaining a written antifraud policy. The antifraud policy shall, at a minimum, include all of the following:

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 antifraud procedures, controls, and monitoring mechanisms.

SECTION 2. Initial applicability.

(1) CUSTOMER IDENTIFICATION REQUIREMENTS. The treatment of s. 217.12 (4) first applies to transac-

tions occurring on the 60th day after the effective date of
this subsection.
