CHECKLIST SECTIONS

- General Information
- License Fees
- Requirements Completed in NMLS
- Requirements/Documents Uploaded in NMLS
- Requirements Submitted Outside of NMLS

GENERAL INFORMATION

Who Is Required to Have This License?

C.R.S. 11-110-102. Legislative declaration. It is declared to be the policy of this state that checks, drafts, money orders, or other instruments for the transmission or payment of credit or money are widely used by the people of this state as a process of settling accounts or debts and that sellers and issuers of the instruments receive, in the aggregate, large sums of money from the people of this state and it is therefore imperative that the integrity, experience, and financial responsibility and reliability of those engaged in the various types of businesses dealing in the instruments be above reproach. In order that the people of this state may be safeguarded from default in the payment of these instruments, it is necessary that proper regulatory authority be established through the banking board. Any person who sells or issues the instruments without complying with the provisions of this article 110 endangers the public interest.

Licensure and qualifications are pursuant to Section 11-110-107(1)(a), C.R.S., and Banking Board Rule MO4(B).

Activities Authorized Under This License

This license authorizes the following activities...

- Bill paying
- Electronic money transmitting
- Foreign currency dealing or exchanging
- Issuing money orders
- Issuing prepaid access/stored value
- Issuing traveler's checks
- Selling money orders
- Selling prepaid access/stored value
- Selling traveler's checks

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The Colorado Division of Banking does issue paper licenses for this license type.

For any questions regarding licensing requirements, including blockchain and digital asset activity and the possibility of a "no action" letter, please send a business plan and flow of funds diagram to: dora applications@state.co.us.

Document Uploads Guidance

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS are indicated in the checklist below. When uploading documents:

- Follow the guidance in <u>Document Upload Descriptions and Examples</u>.
- Only upload documents relevant to the company application.
- Only upload documents where there is a selectable document category. If inappropriate documents
 are uploaded that should not be, you will be contacted by your regulator and asked to remove them
 from NMLS.
- Do not upload the same company documents multiple times. Generally, unless the document is state-specific, if the document has already been uploaded for another state, a new upload is not required unless changes have been made.
- If a document previously uploaded has been revised, delete the old document and replace it with the new document (history of the old document will remain in NMLS).
- For state-specific documents (e.g., Surety Bonds), be sure to indicate the applicable state.

Helpful Resources

- Company Form (MU1) Filing Instructions
- Document Upload Descriptions and Examples
- Individual Form (MU2) Filing Quick Guide
- Financial Statements Quick Guide
- Payment Options Quick Guide
- License Status Definitions Quick Guide

Agency Contact Information

Contact Colorado Division of Banking licensing staff by phone at (303) 894-7575 or send your questions via email to <u>dora applications@state.co.us</u> for additional assistance.

For U.S. Postal Service and Overnight Delivery:

Colorado Division of Banking Applications Manager 1560 Broadway, Suite 975 Denver, CO 80202

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE APPLYING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

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LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.		
Complete	CO-DOB Money Transmitters License	Submitted via
	CO Application Fee: Per statute, Colorado Division of Banking charges a licensing fee, as listed below: License Issued Jan 1 – Jun 30: \$7,500	NMLS (Filing submission)
П	License Issued Jul 1 – Dec 31: \$3,750	
	§11-110-109, C.R.S.	
	The Division captures \$3,750 at the time of application. Upon Banking Board approval, applicants have up to six (6) months to commence operations in the state and receive their license. Any licenses issued from Jan 1 – Jun 30 of a given year will then be invoiced for the remaining \$3,750 via NMLS.	
	NMLS Initial Processing Fee: \$0	
	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)
	Uniform Authorized Agent Reporting Annual Processing Fee: An annual fee of twenty-five cents (\$0.25) for each active authorized agent/delegate location reported through NMLS is invoiced on November 1st.	NMLS (Agency Fee Invoice)
	There is no fee for the first 100 active agents reported (Companies with 100 agents or less are not subject to the UAAR Processing Fee).	
	The fee is capped at \$25,000 per licensee in any one year.	
	The invoiced amount is based on the number of active agents in the system as of August 16th, (day after third quarter reporting deadline).	
	See the <u>Uniform Authorized Agent Reporting Processing Fee Fact Sheet</u> for more information.	

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REQUIREMENTS COMPLETED IN NMLS		
Complete	CO-DOB Money Transmitters License	Submitted via
	Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license/registration through NMLS.	NMLS
	Financial Statements: Upload the most recent audited financial statement prepared in accordance with Generally Accepted Accounting Principles dated within 90 days of your fiscal year end. Financial statements should include a balance sheet, income statement, statement or changes in shareholder equity, and statement of cash flows and all relevant notes thereto. The financial statement must illustrate a company net worth of not less than \$50,000, calculated in accordance with generally accepted accounting principles. Licensees engaging in money transmission at more than one location, or through authorized agents, shall have an additional net worth of \$25,000 per location or authorized agent in this state, as applicable, to a maximum of \$100,000. CB Rule MO4, Section 12-52-108, C.R.S. Note: Financial statements are uploaded separately under the Filing tab and Financial Statement submenu link. See the Financial Statements Quick Guide	NMLS
	for instructions. DO NOT SEND SECURED PDF FILES; PLEASE ENSURE ALL FILES SENT ARE FREE OF SECURITY PROVISIONS, SUCH AS PASSWORD-PROTECTED OR SECURED.	
	Authorized Agents (Delegates) Locations: Upon license approval, applicants may use the NMLS Uniform Authorized Agent Reporting (UAAR) functionality to upload a list of agents who are authorized to conduct money services businesses in the state of <i>Colorado</i> on the Applicant's behalf. Agent adjustments (additions, deletions, and modifications) must be completed through the UAAR on a quarterly basis, even if there are no changes to report.	NMLS
Note	Company Owned Locations/Branches: If your company has company owned locations/branches that are authorized to conduct money services businesses in the state of <i>Colorado</i> please include these as part of your UAAR.	NMLS
	Other Trade Name: If operating under a name that is different from the licensee's legal name, that name ("Trade Name", "Assumed Name" or "DBA") must be listed under the Other Trade Names section of the Company Form (MU1). Colorado Division of Banking does not limit the number of other trade names.	NMLS
	Resident/Registered Agent: The Resident/Registered Agent must be listed under the Resident/Registered Agent section of the Company Form (MU1) and must match the information currently on record with the Colorado Secretary of State.	NMLS

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	Primary Contact Employees: The following individuals must be entered into the Contact Employees section of the Company Form (MU1). 1. Primary Company Contact. 2. Primary Consumer Complaint Contact.	NMLS
Note	Non-Primary Contact Employees: Colorado does not require any non-primary contacts to be listed in the <i>Contact Employees</i> section of the Company Form (MU1).	N/A
	Approvals and Designation: Enter the company's FinCEN Registration Confirmation Number and Filing Date in the Approvals and Designation section of the Company Form (MU1).	NMLS
	Bank Account: The following bank account information must be completed in the Bank Account section of the Company Form (MU1). The name and address of the clearing bank or banks on which the Applicant's payment instruments will be payable.	NMLS
	Disclosure Questions: Provide a complete and detailed explanation and document upload for each "Yes" response to Disclosure Questions made by the company or related control persons (MU2). See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the Disclosure Explanations section of the Company Form (MU1) or Individual Form (MU2).
Note	Qualifying Individual: The Qualifying Individual section is not required to be completed for CO on the Company Form (MU1).	N/A
	Control Person (MU2) Attestation: Complete the Individual Form (MU2) in NMLS. This form must be attested to by the applicable control person before it is able to be submitted along with the Company Form (MU1).	NMLS
Note	Credit Report: Individuals in a position of control are NOT required to authorize a credit report through NMLS.	N/A

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	•	ompany Form (MU1), are required to eck (CBC) through NMLS. ility over the Applicant's licensed ecutive officers, managers, directors,	NMLS
	Owners - The person who direc	tly or indirectly or acting through one or rols, or has power to vote 25 percent or	
	After authorizing a FBI criminal backgro the Company Form (MU1) and Individual appointment to be fingerprinted if new	und check through the submission of al Form (MU2), you must schedule an	
	See the <u>Criminal Background Check sec</u> more information.	tion of the NMLS Resource Center for	
	Note: If you are able to 'Use Existing Pr background check, you DO NOT have to automatically submit the fingerprints o	schedule an appointment. NMLS will	
	Electronic Surety Bond: Electronic Sure \$250,000 to \$2,000,000 furnished and suthorized to conduct business in Color	submitted by a surety company	Electronic Surety Bond in NMLS
	Rule MO1, must be submitted prior	orporate surety bond in the principal	
	request in writing with supporting or requested; the documentation mus which covers daily amount of outst	mit this request in writing directly to the actions can be found below under	
	for hearing before the Banking Boa	notice to the licensee and an opportunity rd, and upon the determination that due risk, order the licensee to increase dollars.	
	See the <u>ESB Adoption Table</u> and the <u>ESB</u> Recourse Center for more information.	3 for NMLS Licensees page of the NMLS	
	Note : Surety bonds submitted via the <i>D</i> this requirement.	Oocument Uploads section will not satisfy	
	Surety Bond Requirements Table		
	Amount	Bond Amount	
	3-year Projections < or = \$250,000	\$250,000	
	3-year Projections > \$250,000 Determination of undue risk	\$1,000,000 \$2,000,000	
	Determination of undue fisk	72,000,000	

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REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS			
Complete	CO-DOB Money Transmitters License	Submitted via	
	AML/BSA Policy: Upload the most recent version of Anti-Money Laundering (AML) / Bank Secrecy Act (BSA) Policy and the most recent Independent Review of the AML/BSA Program. AML/BSA Policy This document should be named AML/BSA Policy [approval date mm-dd-yyyy]. Independent Review of AML/BSA Program This document should be named AML/BSA Policy Independent Review [review date mm-dd-yyyy].	Upload in NMLS: under the Document Type AML/BSA Policy in the Document Uploads section of the Company Form (MU1).	
	 Business Plan: Upload a business plan outlining the following information: Marketing strategies Products Target markets Fee schedule Operating structure the licensee intends to employ. Flow chart of funds from customer, to receiving agent, through the payment system(s) of Applicant, to the paying agent, and final beneficiary or recipient. A history of operations, including a description of the activities conducted by the Applicant. If the business activities in which the Applicant seeks to be engaged in Colorado will be different or limited, please so indicate. A detailed response citing the Applicant's experience in the business of selling or issuing exchange. This document should be named [Company Legal Name] Business Plan. Note: If the existing uploaded business plan already includes the above information, an additional document does not need to be uploaded. A company should only upload a single business plan. If state-specific material is required, this information should be added to the existing uploaded business plan. 	Upload in NMLS: under the Document Type Business Plan in the Document Uploads section of the Company Form (MU1).	

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Certificate of Authority/Good Standing Certificate: Upload a State-issued and approved document (typically by the Secretary of State's office), dated not more than 60 days prior to the filing of the application through NMLS that demonstrates authorization to do business in the Applicant's state of formation and/or Colorado. This document should be named [[State prefix] Certificate of Authority OR [State prefix] Certificate of Good Standing].	Upload in NMLS: under the Document Type Certificate of Authority/Good Standing Certificate in the Document Uploads section of the Company Form (MU1).
Document Samples: Upload copies of the following sample documents used in the regular course of business in connection with this license, if applicable: • Agent Contract Sample • Payment Instrument Sample This document should be named [Name of Document Sample].	Upload in NMLS: under the Document Type Document Samples in the Document Uploads section of the Company Form (MU1).
Flow of Funds Structure: If not included with the Business Plan, submit a description of each type of transaction or service to be conducted. For each type, describe each step starting with the first encounter with the consumer and ending at the completion of the transaction when money is received by the beneficiary. This document should be named Flow of Funds Structure. Note: If submitting multiple types of transactions or services to be conducted, combine in single document for upload.	Upload in NMLS: under the Document Type Flow of Funds Structure in the Document Uploads section of the Company Form (MU1).
IT Policy and Procedures: Upload an Information Technology Security Policy or similar. Licensees must indicate they have an information security program addressing cybersecurity and IT systems, and should evidence consideration of the following areas: Access Control Business Continuity Management Governance and Communication Incident Management Operations Security Physical and Environmental Security Vendor Management This document should be named accordingly, such as Information Technology Security Policy.	Upload in NMLS: under the Document Type Additional Requirements in the Document Uploads section of the Company Form (MU1).

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Formation Documents: Determine classification of applicant's legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.

Sole Proprietor

Unincorporated Association:

By-Laws or constitution (including all amendments).

General Partnership:

• Partnership Agreement (including all amendments).

Limited Liability Partnership:

- Certificate of Limited Liability Partnership; and
- Partnership Agreement (including all amendments).

Limited Partnership:

- Certificate of Limited Partnership; and
- Partnership Agreement (including all amendments).

Limited Liability Limited Partnership:

- Certificate of Limited Liability Limited Partnership; and
- Partnership Agreement (including all amendments).

Limited Liability Company ("LLC"):

- Articles of Organization (including all amendments);
- Operating Agreement (including all amendments);
- IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and
- LLC resolution if authority not in operating agreement.

Corporation:

- Articles of Incorporation (including all amendments);
- By-laws (including all amendments), if applicable;
- Shareholder Agreement (including all amendments), if applicable;
- IRS Form 2553 if S-corp treatment elected; and
- Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable.

Not for Profit Corporation

- Documents requested of a Corporation; and
- Proof of nonprofit status
 - o Internal Revenue Service ("IRS") 501(c)(3) designation letter; or
 - statement from a State taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity's net earnings may lawfully benefit any private shareholder or individual; or
 - entity's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or
 - Any of the three preceding items described, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

Trust (Statutory)

- Certificate of Trust; and
- Governing instrument (all amendments).

Upload in NMLS: under the Document Type Formation Document in the Document Uploads section of the Company Form (MU1).

This document should be named Formation Documentation [Date of Creation (MM-DD-YYYY)].

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	Management Chart: Submit a Management chart displaying the applicant's directors, officers, and managers (individual name and title). Must also identify compliance reporting and internal audit structure. This document should be named [Company Legal Name] Management Chart. Note: If the existing uploaded management chart already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.	Upload in NMLS: under the Document Type Management Chart in the Document Uploads section of the Company Form (MU1).
	Organizational Chart/Description: Submit a chart showing (or a description which includes) the percentage of ownership of: • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee Applicant must disclose whether any parent or subsidiary is publicly traded on any stock exchange. This document should be named [Company Legal Name] Organizational Chart – Description. Note: If the existing uploaded Organizational Chart/Description already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.	Upload in NMLS: under the Document Type Organizational Chart/Description in the Document Uploads section of the Company Form (MU1).
INDIVIDUA	L (MU2) DOCUMENTS UPLOADED IN NMLS	
	Personal Financial Statement: The individuals listed above in the MU2 Individual FBI Criminal Background Check Requirements section are required to upload a personal financial statement. The Personal Financial Statement can be pages 14-20 of the commonly used Interagency Biographical and Financial Report, which can be found on the Division's website under Money Transmitter Application documents, or similar. This document should be named [State Abbreviation] — Personal Financial Statement.	Upload in NMLS: under the Document Type Personal Financial Statement in the Document Uploads section of the Individual Form (MU2).
	State Background Check Authorization: The individuals listed above in the MU2 Individual FBI Criminal Background Check Requirements section are required to upload a Colorado Certification and Authorization on the Company Form (MU1). Click here to access the form. Fingerprint cards are also required to be submitted. See Requirements Submitted Outside of NMLS below for details. Note: This is separate from the NMLS federal background check for the submission of the Individual Form (MU2). This document should be named [State Abbreviation] — BC Authorization.	Upload in NMLS: under the Document Type State Background Check Authorization in the Document Uploads section of the Individual Form (MU2).

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	Verification of Experience: Provide a license specific resume with detailed job descriptions and/or duties performed evidencing experience in the industry the company is applying for a license. Detailed job descriptions and duties with all employers need to be incorporated into a resume to demonstrate experience related to the specific state license being applied for. State specific requirements include: • Resume of Licensee's Chief Compliance Officer This document should be named [Document Type] – License Name.	Upload in NMLS: under the Document Type Verification of Experience in the Document Uploads section of the Individual Form (MU2).
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NMLS ID Number	
Applicant Legal Name	

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	CO-DOB Money Transmitters License	Submitted via
	Colorado Background Checks: In addition to the FBI background checks completed through NMLS, the individuals listed above in the MU2 Individual FBI Criminal Background Check Requirements section are required to obtain Colorado background checks from the Colorado Bureau of Investigation (CBI). The CBI fingerprint card and submission instructions can be found at the following link: CBI Employment and Background Checks. CBI has two approved vendors: IdentoGo & Colorado Fingerprinting; select one of the options and follow the instructions online. The following information should be used in the corresponding fields of the background check enrollment for each vendor: IdentoGo Service Name: Division of Banking – Money Transmitter Service Code: 25YKZ3 Please contact vendor at 844.539.5539 or visit https://uenroll.identogo.com if you have any questions or need assistance. Note: The Division can provide payment vouchers for IdentoGo; please email dora applications@state.co.us with the company and individual names for voucher codes. Colorado Fingerprinting: CBI Unique Code: 4141MTTI Reason Fingerprinted: CO DORA Division of Banking – Money Transmitter Please contact vendor at 720-292-2722, toll free 833-224-2227, or email info@coloradofingerprinting.com if you have any questions or need assistance.	Fingerprints to be submitted to CBI. Results will be sent by CBI to Colorado Division of Banking.
	Applicant SEC Filings: Provide a copy of all annual and quarterly report filings (Form 10-K or 10-Q), if any, made by the Applicant with the United States Securities and Exchange Commission, or with a similar regulator in a country other than the United States, within the year preceding the date of filing of the application.	Email to Colorado Division of Banking: dora_applications@stat e.co.us

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 Parent Company Information: If the Applicant is a wholly-owned subsidiary of another corporation or partnership, the Applicant will need to submit the following for the parent corporation: Consolidated audited financial statements for the current year and for the immediately preceding two (2) year period; Copy of all annual and quarterly report filings (Form 10-K or 10-Q), if any, made by the Applicant's parent company with the United States Securities and Exchange Commission, or with a similar regulator in a country other than the United States, within the year preceding the date of filing of the application. DO NOT SEND SECURED PDF FILES; PLEASE ENSURE ALL FILES SENT ARE FREE OF SECURITY PROVISIONS, SUCH AS PASSWORD-PROTECTED OR SECURED. 	Email to Colorado Division of Banking: dora_applications@stat e.co.us
Bond Reduction Request: If a reduction in the amount of the bond is requested, please submit that request in writing with supporting documentation to justify the amount requested; the documentation must include a three (3) year projection which covers daily amount of outstanding payment instruments or unsettled transmissions. Please submit this request in writing directly to the Division of Banking via email.	Email to Colorado Division of Banking: dora_applications@stat e.co.us

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