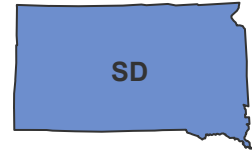




Company New Application Checklist

Agency-Specific Requirements



SOUTH DAKOTA MONEY TRANSMITTER LICENSE

This document includes instructions for a company (corporation location) new application request. If you need to complete a new application for a branch location (authorized delegates are not considered a branch in NMLS) or individual; refer to the appropriate new application checklists.

South Dakota Division of Banking participates in the Multistate Money Services Businesses Licensing Agreement Program (MMLA), which creates a more efficient money service business licensing process among state regulators. If your company is seeking money transmitter licensure in more than five (5) states, participation in the MMLA may be right for you. See the [Multistate MSB Licensing Agreement Program page](#) of the NMLS Resource Center for more information.

Total License costs: \$1,600 including the NMLS processing fee. \$36.26 will be added per FBI Criminal Background Check authorization.

Fees collected through the NMLS ARE NOT REFUNDABLE.

Use the checklist below to complete the requirements for the South Dakota Division of Banking.

The checklist provides instructions and requirements for information to be entered in NMLS, the documents that must be uploaded into NMLS.

Helpful Resources

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

Agency specific requirements marked **Filed in NMLS** must be completed and/or uploaded in NMLS; this information will not be viewable to the agency until the application has been submitted through NMLS.

NOTICE:

Failure to provide **ALL** items on the checklist will result in the application being **Withdrawn- Application Abandoned** for submitting an incomplete application.

NMLS Company Unique ID Number: _____

Applicant Legal Name: _____

FILED IN NMLS	ATTACHED	NOT APPLICABLE	SOUTH DAKOTA MONEY TRANSMITTER LICENSE
<input type="checkbox"/>	N/A	N/A	<p>Other Trade Name: DBAs must be listed under the <i>Other Trade Names</i> section of the Company (MU1) Form. The South Dakota Division of Banking does not limit the number of DBAs</p> <p>If operating under an “Other Trade Name”, upload a state issued and approved document demonstrating authorization to do business under that trade name.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Trade Name/Assumed Name Registration Certificates” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
N/A	N/A	N/A	<p>Qualifying Individual: The <i>Qualifying Individual</i> section is not required and can be left blank on the Company (MU1) Form.</p>
N/A	N/A	N/A	<p>Credit Report: Individuals in a position of control are NOT required to authorize a credit report through NMLS.</p>
<input type="checkbox"/>	N/A	N/A	<p>Resident/Registered Agent: The <i>Resident/Registered Agent</i> section of the Company (MU1) Form must be completed with the information currently on record with the South Dakota Secretary of State.</p>
<input type="checkbox"/>	N/A	N/A	<p>Bank Account: Bank account information must be completed with company’s Letter/Line of Credit, Operating, and/or Trust Primary accounts in the <i>Bank Account</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>Disclosure Questions: Provide an explanation for any “Yes” response(s).</p> <p>A separate explanation and document upload is needed for each “Yes” response.</p> <p><input type="button" value="Upload"/> a copy of any applicable orders or supporting documents in the <i>Disclosure Explanations</i> section of the Company (MU1) Form.</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>
<input type="checkbox"/>	N/A	N/A	<p>Authorized Agents (Delegates) Locations: Licensees must use the NMLS Uniform Authorized Agent Reporting (UAAR) functionality to report Authorized Agents. Upon license approval, applicants are required to utilize the UAAR to upload a list of agents who are authorized to conduct money transmission business in the state of South Dakota on the Applicant’s behalf. Agent adjustments (additions, deletions, and modifications) must be submitted through the UAAR on a quarterly basis, even if there are no changes to report. For more information, consult the NMLS Resource Center.</p>

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<input type="checkbox"/>	N/A	N/A	<p>Financial Statements: Upload an audited or certified financial statement (must be certified/signed by an executive officer of the company) for the past four years as well as a current financial statement dated within 90 days of the date of application. Financial statements should include a Balance Sheet, Income Statement and Statement of Cash Flows and all relevant notes thereto. If applicant is a start-up company, they must provide financial statements for any owner(s) listed in the Direct Owners and Executive Officers field in Form MU1.</p> <p>NOTE: Financial statements are uploaded separately under <i>Financial Statement</i> section of the Filing tab. See the Financial Statement Quick Guide for instructions.</p> <p>Net Worth Qualifications: Each licensee shall have at all times a net worth of not less than \$100,000. Net worth shall be calculated in accordance with generally accepted accounting principles.</p>
<input type="checkbox"/>	N/A	N/A	<p>Business Plan: Upload a business plan outlining marketing strategy, products, target markets and operating structure the applicant intends to employ.</p> <p>Include in the business plan an explanation of business history and current operations. Include a list of states in which applicant is licensed or otherwise authorized to conduct business.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Business Plan” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p> <p>If any of these policies are not applicable to your business, you must include a written explanation.</p>
<input type="checkbox"/>	N/A	N/A	<p>AML/BSA Policy: Upload an Anti-Money Laundering (AML) / Bank Secrecy Act (BSA) Policy that may include independent review.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “AML/BSA Policy” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>Certificate of Authority/Good Standing Certificate: Upload a South Dakota 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.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Certificate of Authority/Good Standing Certificate” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>

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<input type="checkbox"/>	N/A	N/A	<p>Document Samples: Upload copies of documents used in the regular course of business in connection with certain license types as required by South Dakota (e.g. payment instruments, contract samples, etc.).</p> <p>Upload this document in NMLS under the Document Type “Document Samples” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>Formation Document: Upload a certified copy of:</p> <ul style="list-style-type: none"> • The Corporate Charter or Articles of Incorporation (if a corporation), or • The Articles of Organization and Operating Agreement (if a Limited Liability Company), or • The Partnership Agreement (if a partnership of any form). <p>Upload this document in NMLS under the Document Type “Formation Document” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>Management Chart: Upload a Management chart displaying the applicant’s directors, officers, and managers (individual name and title). Must also identify compliance reporting and internal audit structure.</p> <p>Upload this document in NMLS under the Document Type “Management Chart” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>Organizational Chart/Description: Upload a Chart showing (or a description which includes) the percentage of ownership of:</p> <ul style="list-style-type: none"> • Direct Owners (total direct ownership percentage must equate to 100%) • Indirect Owners • Subsidiaries and Affiliates of the applicant/licensee <p>Upload this document in NMLS under the Document Type “Organizational Chart/Description” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>

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<input type="checkbox"/>	N/A	N/A	<p>Electronic Surety Bond: Electronic Surety Bond via NMLS in the amount of \$100,000 furnished and submitted by a surety company authorized to conduct business in South Dakota.</p> <p>See the ESB Adoption Table and the ESB for NMLS Licensees page of the NMLS Recourse Center for more information.</p> <p>Note: Surety bonds submitted via the <i>Document Uploads</i> section will not satisfy this requirement.</p> <p>Other Security Devices: In lieu of a security device the licensee may deposit with the director, or with such banks in this state as the licensee may designate and the director may approve, cash, interest-bearing stocks and bonds, notes, debentures, or other obligations of the United States or any agency or instrumentality thereof, or guaranteed by the United States, or of this state, or of a city, county, school district, or instrumentality of this state, or guaranteed by this state, to an aggregate amount, based upon principal amount or market value, whichever is lower, of not less than the amount of the security device or portion thereof. The securities or cash shall be deposited as provided in this section and held to secure the same obligations as would the security device, but the depositor is entitled to receive all interest and dividends thereon, has the right, with the approval of the director, to substitute other securities for those deposited, and shall be required so to do on written order of the director made for good cause shown. Please upload proof of \$100,000 in coverage.</p> <p>Security Device Form (in lieu of a surety bond)</p>
<input type="checkbox"/>	N/A	N/A	<p>Trust Account Authorization: Upload authorization allowing examination of trust accounts used for the purpose of holding funds belonging to others. May require multiple documents when more than one account exists. Upload each account authorization separately.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Trust Account Authorization” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>Permissible Investments: Upload a list of the company's permissible investments, and the book or market value of such investments as of the date of the most recent audited financial statement and as of the date of the unaudited interim financial statement.</p> <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Permissible Investments” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>

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<input type="checkbox"/>	N/A	N/A	<p>Company Staffing and Internal Policies: Upload document including information on staffing and internal organizational policies and procedures. If submitting multiple staffing and internal policies, combine in single document for upload (except, do not include AML/BSA Policy).</p> <p>Written Policies: Upload copies of all policies procedures and manuals including:</p> <ul style="list-style-type: none"> • Dispute Resolutions • Privacy of Consumer Financial Information <p><input type="button" value="Upload"/> this document in NMLS under the Document Type “Company Staffing and Internal Policies” in the <i>Document Uploads</i> section of the Company (MU1) Form.</p>
<input type="checkbox"/>	N/A	N/A	<p>MU2 Individual FBI Criminal Background Check Requirements: The following Individuals, as specified below, on the Company Form (MU1) are required to authorize a FBI criminal background check (CBC) through NMLS.</p> <p><i>Direct Owners</i></p> <ul style="list-style-type: none"> • Any person who has ownership of, or the power to vote, twenty-five percent or more of the outstanding voting securities of a licensee or controlling person. <p><i>Executive Officers</i></p> <ul style="list-style-type: none"> • President of the company • Chair of the Executive Committee • Senior Officers (elected or appointed) responsible for the licensee’s business • Chief Financial Officer <p>After authorizing a FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the Quick Guides - Company section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to ‘Use Existing Prints’ to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>
<input type="checkbox"/>	N/A	N/A	<p>Filings: Provide copies of all filings, 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 a year</p>

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			preceding the date of filing the application.

South Dakota will review the filing and all required documents and communicate with you through NMLS. To review your status or see detailed communication from the regulator, click on the Composite View tab and then click on View License/Registration in NMLS. See the [License Status Review & Definitions](#) quick guide for instructions.

WHO TO CONTACT – Contact *the South Dakota Division of Banking* licensing staff by phone at 605-773-3421 or send your questions via e-mail to banking@state.sd.us for additional assistance.

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 THE NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.