

2019 Regular Session

HOUSE RESOLUTION NO. 146

BY REPRESENTATIVE WRIGHT

COMMERCE: Requests the Office of Financial Institutions to study the licensure and regulation of virtual currency businesses

1 A RESOLUTION

2 To urge and request the Office of Financial Institutions to study the licensure and regulation
3 of virtual currency businesses by other states in order to determine which provisions
4 may be beneficial to the citizens of Louisiana and to report their findings and
5 recommendations to the House Committee on Commerce on or before January 1,
6 2020.

7 WHEREAS, virtual currency is a medium of exchange or form of digitally stored
8 value; and

9 WHEREAS, virtual currency businesses engage in exchanging, transferring, or
10 storing virtual currency; and

11 WHEREAS, virtual currency continually becomes more widely used for interstate
12 commerce; and

13 WHEREAS, virtual currency is also becoming more commonly used as payment for
14 goods and services in Louisiana; and

15 WHEREAS, several states have determined that, in the interest of consumer
16 protection, it is prudent to license and regulate virtual currency businesses; and

17 WHEREAS, these states have established requirements and standards for
18 qualifications for licensure, consumer disclosures, capital adequacy, record keeping and
19 reporting, bonding, trust accounts, examinations, enforcement, and receivership; and

20 WHEREAS, if left unregulated, virtual currency businesses may be able to operate
21 in Louisiana without meeting these types of requirements and standards; and

1 WHEREAS, a failure to maintain these types of requirements and standards could
2 potentially lead to financial harm of Louisiana consumers; and

3 WHEREAS, it would be prudent for the Office of Financial Institutions to study the
4 licensing and regulatory statutes of other states to determine what provisions may be
5 appropriate for protecting the citizens of Louisiana.

6 THEREFORE, BE IT RESOLVED that the House of Representatives of the
7 Legislature of Louisiana does hereby urge and request the Office of Financial Institutions
8 to study the regulation and licensing of virtual currency businesses by other states in order
9 to determine which provisions may be beneficial to the citizens of Louisiana, with the goal
10 of recommending best practices for a Louisiana licensure statute.

11 BE IT FURTHER RESOLVED that when considering the requirements and
12 standards of other states, the Office of Financial Institutions shall consider qualifications for
13 licensure, consumer disclosures, capital adequacy, record keeping and reporting, bonding,
14 trust accounts, examinations, enforcement, receivership, and any other subject matter that
15 is necessary to create a thorough and effective report, which includes recommendations for
16 provisions that may be beneficial to the citizens of Louisiana.

17 BE IT FURTHER RESOLVED that the Office of Financial Institutions shall
18 collaborate with and examine stakeholder input from virtual currency businesses already
19 based in Louisiana.

20 BE IT FURTHER RESOLVED that the Office of Financial Institutions shall report
21 its findings and recommendations, in the form of a written report including an outline of a
22 licensure statute approved by the Office of Financial Institutions, to the House Committee
23 on Commerce on or before January 1, 2020.

24 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
25 commissioner of the Office of Financial Institutions.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HR 146 Original

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Wright

Requests the Office of Financial Institutions to study the regulation and licensing of virtual currency businesses and submit a report of its findings and recommendations to the House Committee on Commerce on or before January 1, 2020.