

**286.13-035 Application -- Review and investigation -- Unconditional license -- Conditional license -- Notice of intent. (Effective April 30, 2027)**

- (1)
  - (a) A person seeking to become a licensee shall file a complete application for a license with the commissioner.
  - (b) An application for a license shall not be complete unless it:
    1. Is made in writing, under oath or affirmation;
    2. Is in the format required by the commissioner;
    3. Contains, and is accompanied by, the information, documentation, and evidence required under KRS 286.13-040;
    4. Contains an attestation that the applicant is in, and will maintain, compliance with KRS 286.13-055;
    5. Is accompanied by evidence that the requirements of KRS 286.13-050 have been satisfied; and
    6. Is accompanied by a nonrefundable application fee that is determined by the commissioner in accordance with KRS 286.13-070.
- (2) Within ninety (90) days after receipt of a complete application for a license, which period may be extended by the commissioner for good cause, the commissioner shall:
  - (a) Review the application and all attachments for compliance with the requirements of this subtitle;
  - (b) Investigate the following of the applicant, including for each person in control of the applicant and each responsible individual:
    1. Competence;
    2. Experience;
    3. Character;
    4. Financial condition; and
    5. Responsibility; and
  - (c) Subject to KRS 286.13-125 and subsection (4) of this section, issue:
    1. An unconditional license to the applicant to engage in virtual currency kiosk business at one (1) or more locations in this state;
    2. A notice of intent to issue a conditional license to the applicant to engage in virtual currency kiosk business at one (1) or more locations in this state; or
    3. A notice of intent to deny the applicant's application for a license.
- (3) As part of the review and investigation of an application under subsection (2) of this section, the commissioner may, in his or her discretion, investigate an applicant's business premises.
- (4)
  - (a) The commissioner shall issue an unconditional license to an applicant to engage in virtual currency kiosk business at one (1) or more locations in this state if the commissioner determines that the applicant:
    1. Is in compliance with the requirements of this subtitle;

2. Has reasonably demonstrated that it has the competence, experience, character, financial condition, and responsibility to continue to satisfy the requirements of this subtitle; and
  3. Has satisfied the requirements of KRS 286.13-045(3)(a)1. and 2. for at least one (1) location in this state.
- (b)
1. The commissioner may issue a notice of intent to issue a conditional license to an applicant to engage in virtual currency kiosk business at one (1) or more locations in this state if the commissioner determines that the conditions, including any additional bond amount specified by the commissioner under KRS 286.13-050, are necessary for the applicant to satisfy the requirements of paragraph (a)1., 2., and 3. of this subsection.
  2. A notice of intent issued under subparagraph 1. of this paragraph shall specify the additional conditions that are required for the applicant to obtain and maintain a license.
  3. The commissioner may issue a conditional license to an applicant to engage in virtual currency kiosk business at one (1) or more locations in this state if the applicant files with the commissioner a written acceptance of the conditions specified in the notice issued under subparagraph 1. of this paragraph to the applicant within thirty (30) days after service of the notice.
  4. If the department does not receive an applicant's written acceptance of the conditions specified in the notice issued under subparagraph 1. of this paragraph to the applicant within thirty (30) days after service of the notice, the commissioner shall issue a notice of intent to deny the applicant's application for a license.
- (c)
1. Except as provided in paragraph (b) of this subsection, the commissioner shall issue a notice of intent to deny an applicant's application for a license if the commissioner determines that:
    - a. Denial of the license is warranted under KRS 286.13-130; or
    - b. The requirements of paragraph (a)1., 2., and 3. of this subsection are not satisfied.
  2. A notice of intent to deny an applicant's application for a license shall specify the reasons for the determination.

**Effective:** April 30, 2027

**History:** Created 2026 Ky. Acts ch. 126, sec. 6, effective April 30, 2027.