SS SCS SB 98 -- FINANCIAL INSTITUTIONS

CAMPAIGN FINANCE - USE OF DEBIT AND CREDIT CARDS (Sections 130.011, 130.021, 130.031, 130.036 and 130.041)

This bill defines "electronic means" as any instrument, device, or service that facilitates an electronic withdrawal of funds from a bank account including, but not limited to, credit cards, debit cards, and the presentation of a credit or debit card account number. Under the bill a committee, as currently defined in the bill, can use credit or debit cards that are in the name of the committee, to make payments for expenditures through the official depository account, as authorized by the treasurer, deputy treasurer, or candidate.

In addition to the information that is currently included in the statement of organization that is filed when a committee is created, the account number and issuer of any credit card in the committee's name also needs to be included.

The bill removes a provision relating to a petty cash fund that is maintained by withdrawal of funds from the committee's depository account, and for record-keeping requirements for expenditures made from petty cash. Under the bill, expenditures that are more than $50, except an in-kind expenditure, can be made by check signed by the treasurer, deputy treasurer, or candidate or by other electronic means authorized by the treasurer, deputy treasurer, or candidate and drawn on the committee's depository, or by credit card that is authorized by the treasurer, deputy treasurer, or candidate.

The bill provides that records and accounts that are maintained by a committee under current law, will include credit card statements, and records that need to be filed under Chapter 130, RSMo. Further, the records will be made available for inspection by the Missouri Ethics Commission and its duly authorized representatives. Expenditure reports under Section 130.041, RSMo, must include the total amount of expenditures made by electronic means.

These provisions are similar to HB 707 (2025) and HB 1158 (2025).

TAXATION (Sections 143.081 and 143.341)

Current law provides for a tax credit in the amount of any income tax imposed in another state on income that is subject to tax in Missouri. Under this bill, the credit is allowed with respect to any estate or trust to the extent its Missouri adjusted gross income is excluded from Missouri taxable income under the subtraction set forth below.

For all tax years beginning on or after January 1, 2026, this bill provides for a subtraction of an amount included in Missouri taxable income of an estate or trust that would not be included as Missouri taxable income if the estate or trust were considered a nonresident estate or trust. The subtraction only applies to the extent it is not a determinant of the Federal distributable net income of the estate or trust.

These provisions are the same as the provisions in SCS HCS HB 1259 (2025).

MONEY TRANSMISSION MODERNIZATION ACT OF 2024 TO CERTAIN INDIVIDUALS (Section 361.909)

This bill exempts from the Money Transmission Modernization Act of 2024, a person appointed as an agent of a payor for purposes of providing payroll processing services for which the agent would otherwise need to be licensed by the Director of the Division of Finance within the Department of Commerce and Insurance, provided that the requirements, including a written agreement between the payor and agent, as specified in the bill apply.

This provision is the same as SS SCS HB 754 (2025) and similar to a provision in SS SB 61 (2025).

VIRTUAL CURRENCY KIOSK CONSUMER PROTECTION ACT (Section 361.1100)

This bill creates the "Virtual Currency Kiosk Consumer Protection Act" which establishes certain requirements governing virtual currency kiosk operators, as defined in the bill.

Each virtual currency kiosk operator (Operators) must meet the following requirements:

(1) Operators must make certain disclosures upon establishing a relationship with a customer, when opening an account for a new customer, and prior to entering into an initial transaction for, or on behalf of, or with such customer, indicating all material risks associated with the products, services, and activities offered, as well as the terms and conditions of the services provided, as specified in the bill;

(2) Prior entering into a virtual currency transaction with a customer, the operator must ensure a warning is disclosed to a customer in the form that is similar to the text included in the bill;

(3) Upon completing a transaction, an operator must provide a digital or physical receipt containing specific information, specified in the bill;

(4) Operators are required to use blockchain analytics software to assist with the prevention of sending purchased virtual currency to a digital wallet that is known to be affiliated with fraudulent activity at the time of a transaction;

(5) Operators must provide live customer service, weekdays between 8:00 a.m. and 10:00 p.m. and the customer service toll-free number must be displayed on the virtual currency kiosk or the kiosk screens;

(6) Operators must take steps to detect and prevent fraud, as specified in the bill, including by establishing and maintaining a written anti-fraud policy;

(7) Operators must maintain, implement, and enforce a written "Enhanced Due Diligence Policy", to identify individuals at risk of fraud based on age or mental capacity;

(8) Operators must designate and employ a full-time compliance officer with responsibilities as specified in the bill, and maintain, implement, and enforce written compliance policies and procedures;

(9) Operators must designate and employ a full-time consumer protection officer, with responsibilities as provided in the bill.

Virtual currency kiosk operators are required to submit a report, within 45-days of the end of the calendar quarter, to the Division of Finance, within the Department of Commerce and Insurance, detailing the location of each virtual currency kiosk in the State of Missouri.

Virtual currency kiosk operators are deemed to be money transmitters and are required to be licensed under, and comply with the Money Transmission Modernization Act of 2024. This bill requires any unlicensed virtual currency kiosk operator to apply for a money transmitter license within 60 days after this provision becomes effective. Any operator that applies within this time is allowed to continue operations while the Division reviews the application. Any application that is denied must cease operations until granted a money transmitter license.

The Director of the Division of Finance is permitted to request evidence showing compliance with this bill as reasonably necessary or appropriate to administer and enforce this bill, and other

applicable laws such as the Bank Secrecy Act and the United States PATRIOT Act. An operator is required to provide the Director with any records as requested to ensure compliance with the provisions.

All information or reports obtained by the Division of Finance from a virtual currency kiosk operator, and all information contained in or related to an examination, investigation, operating report, or condition report are confidential and not subject to disclosure under the Sunshine Law.

These provisions are the same as SS SCS HB 754 (2025) and SB 779 (2025).

BANK AND TRUST COMPANIES (Sections 362.020, 362.247, 362.275, and 362.295)

This bill modifies the requirements for articles of agreement applicable to bank or trust companies. The bill adds that the articles of agreement can include conditions and procedures relating to the issuance of additional shares of capital stock or other classes of stock, provided the terms and procedures are acceptable to the Director of Finance and notice or other approval required to be given or obtained from the State of Missouri has been given or obtained from the Director of the Division of Finance.

Under current law, unless prohibited by statute or regulation, the board of directors can attend board meetings by telephone conference call or video conferencing, and the bank or trust company can include as a quorum, directors who are not physically present but are allowed to vote, provided the bank or trust company has a composite rating of one or two under the Uniform Financial Institutions Rating System of the Federal Financial Institution Examination Counsel (FFIEC).

This bill repeals reference to a prohibition by regulation and allows an order or memorandum of understanding entered into with the Director of Finance relating to bank safety and soundness to prohibit the directors attending the board meetings by phone or video. Further, the bill repeals reference to composite rating under the FFIEC.

Under current law, the board of directors is required to submit a list at the monthly meetings showing the aggregate of the existing indebtedness and liability to the bank or trust company of each of the directors, officers and their employees. This bill repeals this requirement.

The bill repeals the requirement for a bank or trust company to publish certain reports informing the public as to the financial condition and solvency of the bank or trust company in the newspaper. A bank or trust company can instead provide a paper or electronic copy of such reports that are required to be filed with the Department of Commerce and Insurance, to each customer, upon request.

These provisions are the same as SS SCS HB 754 (2025) and SS SCS SB 97 (2025)

TRUSTED CONTACTS (Sections 362.424 and 370.245)

This bill authorizes a bank to offer a "trusted contact" program, as defined in the bill, to customers who can designate one or more trusted contacts for the bank to contact in the event of an emergency, loss of contact with the customer, the customer is not responsive to bank communications, or suspected third party fraudulent activity or financial exploitation targeting the customer, or the account has been dormant and the bank is attempting to verify the status and location of the customer. A bank can report suspected fraudulent activity or financial exploitation targeting any of its customers to a Federal, State, county, or municipal law enforcement agency or any appropriate public protective agency and will be immune from civil liability in doing so.

Under the bill, a bank is not liable for the actions of a trusted contact. The bank is also not liable for declining to interact with a trusted contact if the bank determines the trusted contact is not acting in the best interests of the customer. This bill also allows a customer to withdraw the appointment of a trusted contact. The bank can request documentation that supports the withdrawal or termination of a trusted contact.

No bank is civilly liable for implementing or not implementing or for actions or omissions relating to providing a trusted contact program.

The bill allows a credit union to offer a trusted contact program to members similar to that offered by a bank.

These provisions are similar to SS SCS HB 754 (2025), HB 1049 (2025) and SCS SB 99 (2025)

SINGLE BANK POOLED COLLATERAL (Section 362.490)

This bill creates an alternative for banking institutions serving as depositaries for public funds to secure their deposits in lieu

of the method provided by current law, known as the single bank pooled method. This method allows a banking institution to secure the deposit of public funds of one or more government entities through a pool of eligible securities held in custody and safekeeping with one or more other banking institutions or safe depositaries, to be held subject to the order of the Director of the Division of Finance or an administrator, appointed as provided in the bill, for the benefit of the government entities having public funds deposited with the banking institution. The bill prohibits the use of the single bank pooled method absent the appointment of an administrator for that purpose, as provided in the bill. Furthermore, the administrator can be required to post a surety bond in an amount up to $100,000.

The administrator of the single bank pooled method can establish the procedures and reporting requirements as necessary for depository banking institutions and their safekeeping banks or depositaries to confirm the amount of insured public fund deposits, the pledge of securities to the administrator to secure the deposit of public funds, as agent for each participating banking institution, and to monitor the market value of pledged securities as reported by the custody agents, and to add, substitute, or remove securities held in the single bank pool as directed by the depository banking institution.

In the event of the failure and insolvency of a banking institution using the single bank pooled method, subject to any order of the director, the administrator will direct the safekeeping banks or depositaries to sell the pledged securities and direct proceeds to the payment of the uninsured public fund deposits or to transfer the pledged securities to that banking institution's primary supervisory agency or the duly appointed receiver for the banking institution to be liquidated to pay out the uninsured public fund deposits.

These provisions are the same as SS SCS HB 754 (2025), SB 657 (2025) and HB 1313 (2025)

USE OF CERTIFIED FUNDS (Section 381.410)

This bill modifies the definition of "certified funds" for purposes of a statute regulating the use of certain funds by real estate settlement agents and title insurance agents.

This provision is the same as HB 1257 (2025), SB 488 (2025) and SS SCS HB 754 (2025)

COMMERCIAL FINANCING DISCLOSURE LAW (Section 427.300)

Current law contains various exemptions from the Commercial Financing Disclosure Law. This bill adds commercial financing products that are premium finance agreements, as defined in current law, offered or entered into by a provider that is a registered premium finance company to that list.

This provision is the same as the provision in HB 707 (2025) and SS SCS SB 97 (2025)

OFFENSE OF FINANCIAL INSTITUTION ACCOUNTS FRAUD (Section 570.148)

This bill establishes the offense of financial institution accounts fraud where a person uses false or fraudulent pretenses, representations, or promises, or any physical or electronic devices, or other means, to withdraw moneys from a financial institution as defined in the bill, or withdraw money from a customer's account or transfer money to another person or another financial institution in order to deprive the customer or the financial institution of the moneys.

The offense is classified as a class B misdemeanor if the fraud amount is less than $500. If the amount is greater than $500, the bill provides for various felony classifications based upon whether the person acted with criminal negligence; recklessly; knowingly; or purposefully.

The prosecutor may charge alternative offenses under chapter 570, RSMo, as long as no person is convicted under this provision and another section related to the same theft of moneys.

This provision is the same as HB 707 (2025).

DORMANT ACCOUNTS (Section 447.200)

This bill repeals Section 447.200 regarding inactive consumer deposit accounts