

Amendment to SB 482-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT establishing protections for digital asset transaction kiosks.

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5 Amend the bill by replacing sections 2 and 3 with the following:

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7 2 New Chapter; Digital Asset Transaction Kiosks. Amend RSA by inserting after chapter 358-T  
8 the following new chapter:

9

CHAPTER 358-U

10

DIGITAL ASSET TRANSACTION KIOSKS

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12 358-U:1 Statement of Purpose. It is the intent of the general court that this chapter establish  
13 reasonable and uniform consumer protections while permitting lawful and responsible digital asset  
14 transaction kiosk operations.

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358-U:2 Definitions.

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I. "Customer" means a natural person using a kiosk.

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17 II. "Digital asset" means a digital representation of value recorded on a distributed ledger or  
18 blockchain, including cryptocurrency.

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19 III. "Digital asset transaction kiosk" or "kiosk" means a self-service electronic terminal  
20 located in a public or retail setting that enables a person to buy, sell, or transfer a digital asset using  
21 cash or another payment method.

21

22 IV. "Operator" means a person or entity that owns, manages, or controls one or more kiosks  
23 in this state, whether directly or through a third-party host location.

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24 V. "Reference price" means a real-time price for the covered digital asset derived from a  
25 public exchange or composite index.

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358-U:3 Registration and Coordination.

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I. With respect to the first transaction for a customer, an operator shall:

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28 (a) Hold the first digital asset transaction made by a customer for a period of at least 48  
29 hours, after which time the operator may complete the customer's digital asset transaction.

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30 (b) Not permit a customer to complete a second digital asset transaction until the hold  
period under subparagraph (a) has lapsed.

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1           II. During a hold period under paragraph I(a), a customer may contact the operator to  
2 request that the customer's first digital asset transaction be canceled and the entire amount of the  
3 customer's first digital asset transaction be returned or refunded to the customer.

4           III. Prior to accepting payment from a customer at a digital asset transaction kiosk, the  
5 kiosk operator, or its authorized delegate, shall verify the identity of the individual in a manner  
6 consistent with applicable state and federal laws.

7           IV. Operators shall not permit transactions under any false, fictitious, or assumed identity.  
8 All transactions shall be conducted under a customer's true and verifiable identity.

9           V. All digital asset transaction kiosk operators performing business shall provide a  
10 dedicated communications line for relevant government agencies via a posted United States phone  
11 number or email address. Said dedicated line shall be used to facilitate law enforcement and  
12 regulatory agency communications with the digital asset transaction kiosk operator in the event of a  
13 fraud report from a customer. The communications line shall be frequently monitored.

14           358-U:4 Core Consumer Protections.

15           I. An operator shall not accept or dispense, in the aggregate, more than \$2,000 per customer  
16 per calendar day across all kiosks under common control within the United States.

17           II. Before accepting funds, all kiosks shall display conspicuous warnings, including that no  
18 government agency, law enforcement, court, utility, bank, tech support, employer, or retailer will  
19 ever demand payment by crypto ATM. The kiosk shall require the customer to answer fraud-  
20 screening prompts, including whether they are being coached by another person. If the customer  
21 indicates a risk of fraud, the kiosk shall block the transaction and display law enforcement and  
22 consumer protection and antitrust bureau contact information.

23           III. Operators shall use blockchain analytics to block transfers to or from wallet addresses  
24 flagged for association with scams, theft, sanctions, or other illicit activity, and shall maintain  
25 written anti-fraud and consumer protection policies.

26           IV. Before accepting funds, kiosks shall disclose in writing and on-screen all fees, the spread  
27 between the operator's price and the reference price, expressed as a percentage and dollar amount,  
28 and the total digital asset expected to be delivered.

29           V. The kiosk shall provide a printed and electronic receipt summarizing the transaction,  
30 including the operator's name and toll-free live customer service phone number, the kiosk's location,  
31 a timestamp, the name of the asset, the quantity of the asset, the asset's reference price, the asset's  
32 spread, all fees paid, the total amount paid, the wallet address or voucher ID, any applicable  
33 cancellation codes, and a refund policy.

34           VI. The digital asset transaction kiosk operator shall provide a full refund of all transactions  
35 to a customer who was fraudulently induced to engage in a digital asset kiosk transaction or  
36 transactions, provided that the customer contacts the digital asset kiosk operator and a law  
37 enforcement or government agency to inform the operator and the agency of the fraudulent nature of

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1 the transaction or transactions within 5 days after the customer's last digital asset transaction with  
2 the digital asset transaction kiosk operator. The refund shall include any fees charged in association  
3 with the fraudulently induced transactions.

4 358-U:5 Minimum Requirements. The provisions of this chapter shall constitute the minimum  
5 requirements for the regulation of digital asset transaction kiosks and shall not preempt any local  
6 laws affording greater protections for customers.

7 358-U:6 Remedies.

8 I. Any violation of this chapter shall constitute an unfair or deceptive act or practice within  
9 the meaning of RSA 358-A:2. Any right, remedy, or power set forth in RSA 358-A may be used to  
10 enforce the provisions of this chapter.

11 II. The rights, obligations, and remedies provided in this chapter shall be in addition to any  
12 other rights, obligations, or remedies provided for by law or in equity.

13 3 Effective Date. This act shall take effect 180 days after its passage.

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AMENDED ANALYSIS

This bill establishes protections for digital asset transaction kiosks.