

**STATE OF NEBRASKA**  
**Department of Banking & Finance**

IN THE MATTER OF:	)	ORDER
	)	AUTHORIZING
Money Transmitter	)	ADDITIONAL TYPES OF
Permissible Investments	)	PERMISSIBLE INVESTMENTS

THIS MATTER comes before the Nebraska Department of Banking and Finance (“Department”), by and through its Acting Director, pursuant to its authority under the Nebraska Money Transmitters Act, Neb. Rev. Stat. §§ 8-2701 to 8-2748 (Supp. 2013).

1. Neb. Rev. Stat. § 8-2716 (Supp. 2013) defines the term “money transmission” in relevant part as “the business of the sale or issuance of payment instruments or stored value or of receiving money or monetary value for transmission to a location within or outside the United States by any and all means, including wire, facsimile, or electronic transfer.”

2. Neb. Rev. Stat. § 8-2720 (Supp. 2013) sets forth the allowable permissible investments for a money transmitter licensee (“Licensee”).

3. Neb. Rev. Stat. § 8-2720(9) (Supp. 2013) provides that the Director may approve additional types of permissible investments.

4. “Automated Clearing House (“ACH”) Receivables” are amounts debited from a customer’s depository account or ACH credits initiated by the customer through ACH, which are used to fund, purchase, or pay for money transmission products and services.

5. “Debit Card Receivables” and “Credit Card Receivables” are amounts due from issuers of debit cards and credit cards, respectively, which are used to fund, purchase, or pay for money transmission products and services.

6. The Acting Director finds that ACH Receivables, Debit Card Receivables, and Credit Card Receivables are of sufficient liquidity and quality to be allowed as permissible investments pursuant to Section 8-2720(9), subject to certain conditions.

IT IS THEREFORE ORDERED that ACH Receivables, Debit Card Receivables, and Credit Card Receivables (collectively, "Receivables") are allowed as permissible investments subject to the following conditions:

1. The aggregate value of the Receivables that qualify as permissible investments pursuant to this Order shall not exceed 20% of the aggregate value of all permissible investments owned by the Licensee.

2. The value of Receivables that qualify as permissible investments pursuant to this Order that are due from any one person and affiliates of that person shall not exceed 10% of the aggregate value of all permissible investments owned by the Licensee

3. The value of Receivables that have been outstanding for more than ten business days are excluded from the aggregate value of permissible investments owned by the Licensee.

4. ACH Receivables must be due from U.S. national or state-chartered depository institutions.

5. Debit Card Receivables and Credit Card Receivables must be due from debit and credit cards issued by U.S. national or state-chartered depository institutions.

6. A copy of this Order shall be made publicly available on the Department's website. In addition, the Department shall provide notice to each money transmitter licensed as of the date of this Order and to each money transmitter with a pending license

application as of the date of this Order. This notice shall be made by emailing a copy of this Order to the email address of record with the Department.

7. This Order shall remain in effect until subsequently modified or vacated by further Order of the Department.

8. The effective date of this Order shall be the date of the Acting Director's signature.

DATED this 5<sup>th</sup> day of August, 2014.



**STATE OF NEBRASKA  
DEPARTMENT OF BANKING AND FINANCE**

By:   
Ray A. Pont, Acting Director

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