

N.C.P.I.—Crim 219D.20
UNLAWFULLY ENGAGING IN THE BUSINESS OF MONEY
TRANSMISSION — ANY REASON. MISDEMEANOR.
JUNE 2017
N.C. Gen. Stat. § 53-208.58(a)

219D.20 UNLAWFULLY ENGAGING IN THE BUSINESS OF MONEY
TRANSMISSION — ANY REASON. MISDEMEANOR.

NOTE WELL: The North Carolina Money Transmitters Act is effective October 1, 2015.

The defendant has been charged with engaging in the business of money transmission in violation of the North Carolina Money Transmitters Act.

For you to find the defendant guilty of this offense, the State must prove two things beyond a reasonable doubt:

First, that the defendant¹ engaged in the business of money transmission² in the State of North Carolina by (*describe violation*) (*e.g., engaging in the business of money transmission in the State under any name other than that which is authorized to do business in the State*).³

Second, that the defendant did so knowingly.

If you find from the evidence beyond a reasonable doubt that on or about the alleged date, the defendant engaged in the business of money transmission in the State of North Carolina, and that the defendant did so knowingly and willfully in violation of the North Carolina Money Transmitters Act, then it would be your duty to return a verdict of guilty. If you do not so find, or have a reasonable doubt as to one or more of these things, it would be your duty to return a verdict of not guilty.

1 N.C. Gen. Stat. § 53-208.42(18) states that the defendant could be any individual, partnership, limited liability company, limited partnership, association,

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joint-stock association, trust, corporation, or other group engaged in joint business activities however organized.

2 To be engage in the business of money transmission includes (1) the sale or issue payment instruments or stored value primarily for personal, family or household purposes; or (2) receiving money or monetary value for transmission or holding funds incidental to transmission within the United States or to location abroad by any and all means, including payment instrument, stored value, wire, facsimile, or electronic transfer, primarily for personal, family, or household purposes. See N.C. Gen. Stat. § 53-208.42(12).

3 See N.C. Gen. Stat. § 53.208.51 for a list of prohibited practices.