



FINANCIAL SERVICE CENTERS OF AMERICA, INC.

Summary of State Check Cashing Laws - Updated August 2013

STATE	STATUTORY CITATION	PERMISSIBLE CHECK CASHING FEES			LICENSE OR REGISTRATION REQUIRED	NOTABLE EXEMPTIONS TO REGULATION	
		Public Assistance / Social Security Checks / Other Government Issued Checks	Personal	Other Checks (e.g. Payroll) and Money Orders			Statutorily Authorized Account Set-up / Membership Fee
Arizona	Ariz. Rev. Stat. §44-1361	3% of the face amount of the payment instrument or \$5, whichever is greater, for cashing any payment instrument issued by an agency of the United States or of Arizona or any political subdivision of the United States or of Arizona.	No cap.		None.	A license or registration is not required.	Check casher means any person who engages in the business of cashing payment instruments more than 10 times in any calendar year and who receives compensation of at least \$500 during any 30 day period for cashing payment instruments.
California	Cal. Civ. Code §1789.30	3% with valid identification for government checks, or 3.5% without identification, or \$3, whichever is greater.	12% of the face value of a personal check.	3% with valid identification for payroll checks, or 3.5% without identification, or \$3, whichever is greater.	Permitted to charge an amount not greater than \$10 to set up an initial account and issue an optional identification card.	A permit is required.	The law does not apply to a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money orders for a fee not exceeding \$2 as a service to its customers that is incidental to its main purpose or business.
Connecticut	Conn. Gen. Stat. §36a-580	1% for state drawn checks payable within the state to recipients of public assistance.	2% or \$1, whichever is greater.		None.	A license is required.	The law does not apply to businesses that do not charge more than .50¢ for cashing a check, draft or other instrument.
Delaware	Del. Code Ann. Tit. 5 §2701	2%, or \$4, whichever is greater, for cashing a check, draft or money order.			None.	A license is required.	The law does not apply when checks, drafts or money orders are cashed by any person as an incident to the conduct of any other lawful business where not more than 10¢ is charged for cashing each check, draft or money order.
Florida	Fla. Stat Ann. §560.303	3% or \$5, whichever is greater, if payment instrument is for state public assistance or social security.	10% or \$5, whichever is greater, for personal checks.	5% of the face amount of the payment instrument, or \$5, whichever is greater; 10% or \$5, whichever is greater for money orders.	Direct costs of verification, not to exceed \$5, as established by rule.	A license is required.	The law does not apply to persons engaged in the cashing of payment instruments that have an aggregate face value of less than \$2,000 per person per day and that are incidental to the retail sale of goods or services whose compensation for cashing payment instruments at each site does not exceed 5% of the total gross income from the retail sale of goods or services by such person during the last 60 days.
Georgia	GA. Code Ann. §7-1-700	3% or \$5, whichever is greater, for state public assistance or social security payable to the bearer of the check.	10% or \$5, whichever is greater, for personal checks.	5% of the face amount of the check or draft or \$5, whichever is greater; 10% or \$5, whichever is greater for money orders.	None.	A license is required.	A business may register (rather than be licensed) as a check casher if it engages in cashing checks, money orders, or other drafts for a fee limited to the greater of \$2 or 2% of the face amount of the check, whichever is greater. A registered casher of checks is not permitted to advertise its check cashing services.

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Hawaii	Haw. Rev. Stat. §480F-1	3% of face amount of the check or \$5, whichever is greater, for state public assistance or social security payable to the bearer of the check.	10% or \$5, whichever is greater, for personal checks.	5% or \$5 of face amount, whichever is greater, for all other checks; 10% or \$5, whichever is greater for money orders.	Limit of \$10 to set up an initial account and issue an optional membership or identification card.	A license or registration is not required.	The law does not apply to any person who is principally engaged in the bona fide retail sale of goods or services, and who, either as incident to or independent of the retail sale or service, from time to time cashes items for a fee or other consideration, where not more than \$2, or 2% of the amount of the check, whichever is greater, is charged for the service.
Illinois	815 Ill. Comp. Stat. Ann. §315/2; 38 Ill Adm. Code 130.30	1.4% of face amount plus a service charge of \$1 on all checks \$100 or less; 2.25% on checks greater than \$100.	1.4% of face amount plus a service charge of \$1 on all checks \$100 or less; 2.25% on checks greater than \$100.	1.4% of face amount plus a service charge of \$1 on all checks \$100 or less; 2.25% on checks greater than \$100.	None.	A license is required.	A merchant may offer check cashing services, in the course of such business and only as an incident thereto, and may charge fees for each check cashed provided that the check cashing services are incidental to the main business of the merchant. The merchant cannot charge fees in excess of the greater of .50¢ or 1% of the face value of the check cashed.
Indiana	Ind. Code §28-8-5	5% of the face amount or \$5, whichever is greater.	10% of the face amount of a personal check or \$10, whichever is greater.	5% of the face amount or \$5, whichever is greater, for all other checks.	None.	A license is required.	The law does not apply to person principally engaged in the bona fide retail sale of goods or services if: (1) the person, either incidental to or independent of a retail sale of goods or services, from time to time cashes checks; and (2) the consideration charged for cashing checks does not exceed \$5.
Kentucky	Ky. Rev. Stat. Ann. §286.9-010	No cap; licensee must conspicuously display a schedule of all fees and charges for authorized services.			None.	A license is required.	The law does not apply to any person who cashes checks without receiving, directly or indirectly, any consideration or fee. The law also does not apply to any person principally engaged in the retail sale of goods or services who, either as an incident to or independently of a retail sale, from time to time cash checks for a fee or other consideration.
Louisiana	La. Rev. Stat. Ann. §6:1001	2% of the face amount of the check or \$5, whichever is greater, for government issued checks.	10% of the total amount of the check presented for cashing or \$5, whichever is greater, for all other checks or money orders.		None.	A license is required (a person may engage in business at more than one location with one license).	The law does not apply to a business that cashes a check, draft, money order, or traveler's check, or other commercial paper if the fee charged does not exceed \$2 and the currency exchange is incidental to the primary business.
Maine	Me. Rev. Stat. Ann. tit. 32, §6131	3% with identification, or 4% without identification, or \$5, whichever is greater, if state public assistance or social security.	10% or \$5, whichever is greater, for personal checks.	5% of the face amount of the payment instrument with identification, or 6% without identification, or \$5, whichever is greater; 10% or \$5, whichever is greater, for money orders.	None.	Registration is required.	The law does not apply to a person who is primarily engaged in the business of selling tangible personal property or services at retail and does not derive more than 5% of its income from check cashing.
Maryland	Md. Code Ann., Fin. Inst. §12-101	2% of the face amount of the payment instrument or \$3, whichever is greater, for government checks.	10% or \$5 of face amount of the payment instrument, whichever is greater, for personal checks.	4% of face amount of the payment instrument or \$5, whichever is greater, for all other payment instruments.	A licensee may charge a one-time membership fee not to exceed \$5.	A license is required.	The law does not apply to check cashing services where a fee of up to 1.5% of the face amount of the payment instrument is charged and that are incidental to the retail sale of goods or services by the person that is providing the check cashing services.
Massachusetts	Mass. Gen. Laws Ann. ch. 169A §1	No cap; schedule of fees and charges to be charged for the cashing of checks, drafts or money orders must be filed annually by each licensee with the commissioner.			None.	A license is required.	A license is required only if a person engages in cashing checks, drafts or money orders for consideration in excess of \$1 per item.
Minnesota	Minn. Stat. Ann. §53A.01	No cap; fees charged by licensees at each location for check cashing services must be filed with and approved by the Commissioner of Commerce.			None.	A license is required. A license cannot be issued if the proposed place of business is located within one-half mile of another licensed currency exchange business.	The law does not apply to a person who provides check cashing services incidental to the person's primary business if the charge for cashing a check or draft does not exceed \$1 or 1% of the value of the check or draft, whichever is greater.
Mississippi	Miss. Code Ann. §75-67-501 (sunset provision in effect until July 1, 2015)	3% or \$5, whichever is greater, for government checks.	10% or \$5, whichever is greater, for personal checks.	5% or \$5, whichever is greater, for all other checks or money orders.	None.	A license is required.	Any person principally engaged in the retail sale of goods or services who, either as an incident to or independently of a retail sale, may from time to time cash checks for a fee, not exceeding 3% of the face amount of the check or \$10, whichever is greater. The fee must be conspicuously posted for public view.

Nevada	Nev. Admin. Code §604A.010	No cap; customer must receive and sign a written fee notice prior to transaction.			None.	A license is required.	None.
New Jersey	N.J. Stat. Ann. §17:15A-31	1% or 90¢, whichever is greater, for public assistance checks; 1.5% or 90¢, whichever is greater, for social security checks.	2.21% or \$1, whichever is greater, of the face amount for checks drawn on a depository institution or other financial entity.		None.	A license is required. No office or mobile office can be located within 2,500 feet of an existing licensee.	None.
New York	N.Y. McKinney's Bank Law §366; 3 NY ADC 400.12	1.95% of the amount of the check, draft or money order, or (b) \$1, whichever is greater (fee is subject to annual adjustment based on increase in regional consumer price index).	1.95% of the amount of the check, draft or money order, or (b) \$1, whichever is greater (fee is subject to annual adjustment based on increase in regional consumer price index); there is no fee limitation for the cashing of commercial checks.		None.	A license is required. No license shall be issued to an applicant for a license, at a location to be licensed which is closer than one thousand five hundred eighty-four feet (three-tenths of a mile) from an existing licensee.	The law does not apply when checks, drafts or money orders are cashed, other than by a licensee, without a consideration or charge; nor when checks, drafts or money orders are cashed, other than by a licensee, as an incident to the conduct of any other lawful business where not more than \$1 is charged for cashing each check.
North Carolina	N.C. Gen. Stat. §53-275	3% of the face amount or \$5, whichever is greater, for all government checks.	10% or \$5, whichever is greater, for personal checks.	5% or \$5, whichever is greater, for all other checks or money orders.	None.	A license is required.	The law does not apply to any person or entity principally engaged in the bona fide retail sale of goods or services, who either as an incident to or independently of a retail sale or service and not holding itself out to be a check-cashing service, from time to time cashes checks, drafts, or money orders for a fee or other consideration, where not more than \$2 is charged for the service.
Ohio	Ohio Rev. Code Ann. §1315.21	3% of the face amount for state and federal government checks.	No cap.	No cap.	None.	A license is required.	The law does not apply to a business that is primarily engaged in the business of selling tangible personal property or services at retail and does not derive more than 5% of the person's gross income from the cashing of checks.
Oregon	OR. St. Ann. 697.500	\$5 or 2% of the face value of the payment instrument, whichever is greater, for federal/state government checks if the person cashing the payment instrument provides valid government-issued identification; \$5 or 2.5% of the face value of the payment instrument if without valid government-issued identification; \$5 or 3% of the face value of the payment instrument, whichever is greater, for government checks issued by other states with valid government-issued identification; \$5 or 3.5% of the face value of the payment instrument, whichever is greater, for government checks issued by other states if without valid government-issued identification; total amount charged for cashing any check cannot be more than \$100.00.	\$5 or 10% of the face value of the payment instrument, whichever is greater; total amount charged for cashing any check cannot be more than \$100.00.	\$5 or 3% of the face value of the payment instrument, whichever is greater, for payroll checks with valid government-issued identification; \$5 or 3.5% of the face value of the payment instrument, whichever is greater, if without valid government-issued identification; any other payment instrument, \$5 or 10% of the face value of the payment instrument, whichever is greater; total amount charged for cashing any check cannot be more than \$100.00.	None.	A license is required.	The law does not apply to a person engaged in the bona fide retail sale of goods or services and not purporting to be a check-cashing business that, as an incident of or independent of a retail sale or service, from time to time cashes payment instruments for a fee, service charge or other consideration but does not charge more than \$2 or 2% of the face value of the payment instrument, whichever is greater.
Pennsylvania	Pa. Stat Ann. Tit. 63, § 2301	2.5% of the face amount of government assistance checks, if the payee submits valid identification.	10% for personal checks.	3% for payroll checks.	A fee not to exceed \$10 is permitted to cover the cost of investigating a new customer's credit.	A license is required.	None.
Rhode Island	R.I. Gen. Laws §19-14.4-1	3% of the face amount of the check or \$5, whichever is greater, for state public assistance or social security checks.	10% or \$5, whichever is greater, for personal checks.	5% or \$5, whichever is greater, on all other checks.	None.	A license is required.	The law does not apply to persons engaged in the business of cashing checks where that business is incidental to the person's retail sale of goods or services and the person charges not more than .50¢ per check cashed.
South Carolina	S.C. Code Ann. §34-41-10	2% of the face amount of the check or \$3, whichever is greater.	7% or \$5, whichever is greater.	2% of the face amount of the check or \$3, whichever is greater, for electronically printed payroll checks; 7% or \$5, whichever is greater, for all other checks, including handwritten payroll checks and money orders.	None.	A license is required (two levels: Level I and II). Level II cannot engage in payday advance transactions.	The law does not apply to any person or entity principally engaged in the bona fide retail sale of goods or services, who either as an incident to or independently of a retail sale or service and not holding itself out to be a Level I or Level II check-cashing service, from time to time cashes checks, drafts, or money orders without a fee or other consideration.

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Tennessee	TN Code Ann. §45-18-101	3% or \$2, whichever is greater of the face amount of the payment instrument, for public assistance or social security checks.	10% or \$5, whichever is greater, for personal checks.	5% or \$5, whichever is greater, for all other checks.	Licenses may charge a customer a one-time membership fee not to exceed \$10	A license is required.	The law does not apply to persons engaged in the cashing of payment instruments which is incidental to the retail sale of goods or services whose compensation for cashing payment instruments at each site does not exceed 5% of the gross receipts from the retail sale of goods or services by such person during its most recently completed fiscal year.
Utah	Utah Code Ann. §7-23-101	No cap; a check casher is required to post a complete schedule of all fees for cashing a check in a conspicuous location at its premises that can be viewed by a person cashing a check.			None.	Registration is required.	The law does not apply to a person that cashes a check in a transaction that is incidental to the retail sale of goods or services and for consideration that does not exceed the greater of: (i) 1% of the amount of the check; or (ii) \$1.
Vermont	Vt. Stat. Ann. Tit. 8, §2500	3% of the face amount or \$2, whichever is greater, for state public assistance or social security checks, if the customer cashing the payment instrument is the named payee.	10% or \$5, whichever is less, for personal checks.	5% or \$5, whichever is greater, for all other checks; 10% or \$5, whichever is less, for money orders.	Licenses may charge a customer a one-time membership fee not in excess of \$10	A license is required.	A seller of goods or services that cashes payment instruments incidental to or independent of a sale and does not charge for cashing the payment instrument a fee in excess of \$1 per instrument.
Virginia	Va. Code Ann. § 6.2-2100	No cap; registrant must file a statement of the fees charged at every location with the Commissioner. A notice stating the fees charged for cashing items must be conspicuously posted and displayed at all times.			None.	Registration is required.	The law does not apply to any person not holding himself/herself out to be a check cashing service, which is principally engaged in the bona fide retail sale of goods or services, who either as an incident to or independently of such retail sale or service, from time to time cashes items for a fee or other consideration, where not more than \$2 or 2% of the amount of the item, whichever is greater, is charged for the service.
Washington	Wash. Rev. Code Ann. §31.45.010	No cap; a schedule of the fees and the charges for the cashing of checks, drafts, money orders, or other commercial paper serving the same purpose shall be conspicuously and continuously posted in every licensed location.			None.	A license is required.	Director of Financial Institutions may grant a total or partial exemption to persons not primarily engaged in the business of cashing or selling checks upon concluding that such an exemption would not be detrimental to the public.
Washington, D.C.	DC Code Ann §26-301	2% of the face amount or \$3, for government issued checks.	10% of the face amount or \$5 for personal checks.	4% or \$5 of the face amount for payroll and all other checks; 10% of the face amount or \$5 for money orders.	A licensee may charge a customer a one-time membership fee not to exceed \$ 5.	A license is required.	The law does not apply to any person who cashes checks for no consideration or charge.
West Virginia	W. Va. Code Ann. §32A-3-1	1% of the face value cashed or \$1, whichever is greater.			None.	A license is required. Merchants deriving more than 5% of gross revenues from cashing checks must obtain the proper license from state Division of Banking.	A merchant primarily in the business of making retail consumer sales may offer check cashing services at its stores to accommodate its customers in the course of said business, and may collect a fee for the service, if the check cashing service and any fees charged are incidental to the main business of the merchant. Where a merchant derives more than 5% of gross revenues from cashing checks, the check cashing services are not considered incidental to the main business of the merchant, and the merchant is required to be licensed.
Wisconsin	Wis. Stat. Ann. §218.05	No cap.			None.	A license is required.	None.

The following states do not have a statutory or regulatory framework governing specifically check cashing services:

Alabama, Alaska, Arkansas, Colorado, Idaho, Iowa, Kansas, Michigan, Missouri, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, Oklahoma, South Dakota, Texas and Wyoming.

DISCLAIMER: The Summary of State Check Cashing Laws has been compiled for information purposes for FISCA members only. To the best of our knowledge, this information is current, but FISCA cannot make assurances that there have not been changes. FISCA encourages the reader to obtain the advice of counsel with respect to the subject matter of this document.

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