

533C.103 Exemptions.

The superintendent may require that any person claiming to be exempt from licensing pursuant to [this section](#) provide information and documentation to the superintendent demonstrating that the person qualifies for any claimed exemption. [This chapter](#) does not apply to:

1. The United States or a department, agency, agent, or instrumentality thereof.
2. Money transmission by the United States postal service or by an agent of the United States postal service.
3. A state, county, city, or governmental agency, governmental subdivision, instrumentality, or agent of a state.
4. A federally insured depository financial institution, bank holding company, office of an international banking corporation, foreign bank that establishes a federal branch pursuant to the federal International Bank Act, 12 U.S.C. §3102, as amended, corporation organized pursuant to the federal Bank Service Company Act, 12 U.S.C. §1861 – 1867, as amended, or corporation organized under the federal Edge Act, 12 U.S.C. §611 – 633, as amended.
5. Electronic funds transfer of governmental benefits for a federal, state, county, or governmental agency by a contractor on behalf of the United States or a department, agency, or instrumentality thereof, or on behalf of a state or governmental subdivision, agency, or instrumentality thereof.
6. A board of trade designated as a contract market under the federal Commodity Exchange Act, 7 U.S.C. §1 – 25, as amended, or a person that, in the ordinary course of business, provides clearance and settlement services for a board of trade to the extent of its operation as or for such a board.
7. A registered futures commission merchant under the federal commodities laws to the extent of its operation as such a merchant.
8. A person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender, and the sender's designated recipient, provided all of the following apply:
 - a. The entity is properly licensed or exempt from licensing requirements under [this chapter](#).
 - b. The entity provides a receipt, electronic record, or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction.
 - c. The entity bears sole responsibility to satisfy the outstanding money transmission obligations to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient.
9. An operator of a payment system to the extent that it provides processing, clearing, or settlement services, between or among persons excluded by [this section](#), or licensees, in connection with wire transfers, credit card transactions, debit card transactions, stored-value transactions, automated clearing house transfers, or similar funds transfers.
10. A person registered as a securities broker-dealer under federal or state securities laws to the extent of its operation as such a broker-dealer.
11. A delayed deposit services business as defined in [chapter 533D](#).
12. A real estate broker or salesperson as defined in [chapter 543B](#).
13. Pari-mutuel wagering, racetracks, excursion gambling boats, and gambling structures as provided in [chapters 99D](#) and [99F](#).
14. A person engaging in the business of debt management that is licensed or exempt from licensing pursuant to [section 533A.2](#).
15. An insurance company organized under [chapter 508](#), [514](#), [514B](#), [515](#), [518](#), [518A](#), or [520](#), or authorized to do the business of insurance in Iowa to the extent of its operation as an insurance company.
16. An insurance producer as defined in [section 522B.1](#) to the extent of its operation as an insurance producer.
17. A person appointed as an agent of a payee to collect and process a payment from a payor to the payee for goods or services, other than money transmission itself, provided to the payor by the payee, provided all of the following apply:

a. There exists a written agreement between the payee and the agent directing the agent to collect and process payments from payors on the payee's behalf.

b. The payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf.

c. Payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk of loss to the payor if the agent fails to remit the funds to the payee.

18. An individual employed by a licensee, authorized delegate, or any person exempted from the licensing requirements of [this chapter](#) when acting within the scope of employment and under the supervision of the licensee, authorized delegate, or exempted person as an employee and not as an independent contractor.

19. A person expressly appointed as a third-party service provider to or agent of an entity exempt under [subsection 4](#), provided all of the following apply:

a. The service provider or agent is engaging in money transmission on behalf of and pursuant to a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform.

b. The exempt entity assumes all risk of loss and all legal responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent.

20. A person exempt by regulation or order if the superintendent finds such exemption to be in the public interest and that the regulation of such person is not necessary for the purposes of [this chapter](#).

[2003 Acts, ch 96, §3, 42; 2004 Acts, ch 1101, §76; 2007 Acts, ch 188, §20; 2023 Acts, ch 83, §4](#)

Referred to in [§533A.2, 533C.301, 533C.401](#)
Section amended