



MEMORANDUM

To: Natural Persons who are Applying for or Have Been Issued Georgia Check Cashing Licenses or Registrations

From: Georgia Department of Banking and Finance

Re: Verification of Lawful Presence within the United States

As a result of a recent law change, the Georgia Department of Banking and Finance (Department) is required to obtain from each natural person who is applying for or currently holds a Georgia check cashing license or registration in his or her own name (Licensee/Registrant) a signed and sworn affidavit verifying his or her lawful presence in the United States that is accompanied by a copy of at least one “secure and verifiable document.” O.C.G.A. § 50-36-1(e).

Attached to this Memorandum you will find a Checklist for Verification of Lawful Presence within the United States (Checklist). You will also find three different affidavits from which a Licensee/Registrant must choose that provide the basis for his or her lawful presence in the United States.

The Checklist must be completed by the Licensee/Registrant to identify which of the three types of affidavits and which one of the 16 secure and verifiable documents listed is being submitted to the Department. A *legible* photocopy of at least one secure and verifiable document must accompany the affidavit that is being submitted by a Licensee/Registrant. A “secure and verifiable document” is defined in O.C.G.A. § 50-36-2. *A secure and verifiable document shall not mean a Matricula Consular de Alta Seguridad, matricula consular card, consular matriculation card, consular identification card, or similar identification card issued by a foreign government regardless of the holder’s immigration status.* Only those documents approved and posted by the Attorney General pursuant to subsection (f) of this Code section shall be considered secure and verifiable.”

Once the appropriate affidavit is selected by a Licensee/Registrant and a photocopy of his or her secure and verifiable document has been made, he or she must complete the affidavit and **sign it in the presence of a notary public.**

Each Licensee/Registrant must mail to the Department the following three documents: 1) a Checklist completed in its entirety by the Licensee/Registrant, 2) the appropriate **original** signed and **notarized** affidavit attesting to the basis for his or her lawful presence in the United States, and 3) a **legible** photocopy of the Licensee’s/Registrant’s secure and verifiable document in support of the affidavit being submitted.

Please make sure that the name and license / registration number are included on each of the three documents being submitted, including the copy of the secure and verifiable document.

It is recommended that the Licensee/Registrant keep a photocopy for his or her records of all of the documents that are submitted to the Department in case any issue arises as to whether the Licensee/Registrant has submitted a complete and correct copy of what must be provided.

Failure by the Licensee/Registrant to provide the documentation called for by this Memorandum may result in his or her Georgia check casher license or registration being revoked.

If you have any questions regarding this Memorandum, please e-mail them to nelson@dbf.state.ga.us.

So What Do I Need to Submit?

- The Checklist on the following page (signed by the Licensee/Registrant).
- The appropriate affidavit (signed by the Licensee/Registrant and notarized).
- A **legible copy** of at least one form of Secure and Verifiable Documentation authorized by the Georgia Attorney General's Office – one of the 16 documents listed on the Checklist.
- Be sure to include your license/registration number on each form and also on your Secure and Verifiable Documentation.
- Mail all of the required forms/documents to the attention of:

Susan Nelson, Applications Analyst
Georgia Department of Banking and Finance
2990 Brandywine Road, Suite 200
Atlanta, Georgia 30341-5565

**GEORGIA DEPARTMENT OF BANKING AND FINANCE
CHECKLIST FOR VERIFICATION OF LAWFUL PRESENCE WITHIN THE UNITED STATES**

THIS FORM MUST BE SUBMITTED TO THE DEPARTMENT WITH YOUR COMPLETE NOTARIZED AFFIDAVIT AND A LEGIBLE COPY OF YOUR SECURE AND VERIFIABLE DOCUMENT

NAME _____
(please print clearly)

License/Registration Number

1) Affidavit that I am providing (please check the appropriate one):

- United States Citizen Affidavit;
- Legal Permanent Resident Affidavit; or
- Qualified Alien or Nonimmigrant under the Federal Immigration and Nationality Act, Title 8 with an Alien Number Issued by the Department of Homeland Security or Other Federal Immigration Agency Affidavit

2) A legible copy of at least one form of Secure and Verifiable Documentation authorized by the Georgia Attorney General's Office that I am providing to support my Affidavit (please check the form(s) of documentation):

- United States passport or passport card
- United States military identification card
- Driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Islands, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
- Identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Islands, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
- Tribal identification card of a federally recognized Native American tribe, provided that contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
- United States Permanent Resident Card or Alien Registration Receipt Card
- Employment Authorization Document that contains a photograph of the bearer
- Passport issued by a foreign government
- Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard
- Free and Secure Trade (FAST) card
- NEXUS card
- Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card
- Driver's license issued by a Canadian government authority
- Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561)
- Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570)
- Other document or form of identification for proof or documentation of identity that the Georgia Department of Banking and Finance must accept pursuant to federal law deemed to be a secure and verifiable document solely for the issuance or administration of a money service business license or registration

I am providing the Georgia Department of Banking and Finance (Department) with this Checklist, the applicable affidavit and a photocopy of an authorized secure and verifiable document as a requirement for obtaining or continuing to hold a Georgia money service business license or registration in my individual name. I understand and agree that knowingly and willfully making a false, fictitious, or fraudulent submission of this documentation to the Department may serve as grounds for denial or revocation of my Georgia money service business license or registration and may subject me to criminal penalties.

Signature of Licensee/Registrant

Date

License/Registration Number

United States Citizen
Affidavit Under O.C.G.A. § 50-36-1(e)(2)(A)

By executing this affidavit, the undersigned Applicant/Licensee/Registrant verifies his or her lawful presence in the United States as the undersigned is a United States citizen 18 years of age or older. Furthermore, the undersigned hereby verifies that he or she has provided at least one secure and verifiable document, as defined by O.C.G.A. 50-36-2, with this affidavit.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 201_, in _____.
(month) (day) (year) (city) (state)

Signature of Georgia Check Casher
Applicant/Licensee/Registrant

Printed Name of Licensee/Registrant

Subscribed and sworn before me
on this ____ day of _____, 201_.

NOTARY PUBLIC
My commission expires:

License/Registration Number

**Legal Permanent Resident
Affidavit Under O.C.G.A. § 50-36-1(e)(2)(A)**

By executing this affidavit, the undersigned Applicant/Licensee/Registrant verifies his or her lawful presence in the United States as the undersigned is a legal permanent resident 18 years of age or older. Furthermore, the undersigned hereby verifies that he or she has provided at least one secure and verifiable document, as defined by O.C.G.A. 50-36-2, with this affidavit.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 201_, in _____.
(month) (day) (year) (city) (state)

Signature of Georgia Check Casher
Licensee/Registrant

Printed Name of Licensee/Registrant

Subscribed and sworn before me
on this ____ day of _____, 201_.

NOTARY PUBLIC
My commission expires:

License/Registration Number

**Qualified Alien or Nonimmigrant under the Federal Immigration and Nationality Act,
Title 8 with an Alien Number Issued by the Department of Homeland Security
Or Other Federal Immigration Agency
Affidavit Under O.C.G.A. § 50-36-1(e)(2)(B)**

By executing this affidavit, the undersigned Applicant/Licensee/Registrant verifies his or her lawful presence in the United States as the undersigned is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C. with an alien number issued by the Department of Homeland Security or other federal immigration agency. The undersigned hereby verifies that he or she is 18 years of age or older, lawfully present in the United States and verifies that he or she has provided at least one secure and verifiable document, as defined by O.C.G.A. 50-36-2, with this affidavit.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 201_, in _____.
(month) (day) (year) (city) (state)

Signature of Georgia Check Casher
Licensee/Registrant

Printed Name of Licensee/Registrant

Alien number issued
by the Department of Homeland
Security or other federal
immigration agency to Applicant/
Licensee/Registrant

Subscribed and sworn before me
on this ____ day of _____, 201_.

NOTARY PUBLIC
My commission expires:
