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Division of Banking

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JB PRITZKER
Governor

MARIO TRETO, JR.
Secretary

SUSANA SORIANO
Acting Director

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ADVISORY FOR DIGITAL ASSET BUSINESSES AND DIGITAL ASSET KIOSK OPERATORS IN ILLINOIS

On August 18, 2025, Governor JB Pritzker signed into law the Digital Assets and Consumer Protection Act (“DACPA”) and the Digital Assets Kiosks Act (“DAKA”), Public Acts [104-0428](#) and [104-0429](#), respectively. Both Acts took immediate effect.

Numerous provisions of DAKA are currently in force, including the following:

- Section 25. “Daily transaction limit.
 - (a) A digital asset kiosk operator shall not accept or dispense more than \$2,500 or [the] equivalent monetary value in a day from or to the same **new** customer through a digital asset kiosk.
 - (b) A digital asset kiosk operator shall not accept or dispense more than \$10,500 or the equivalent monetary value in a day from or to any **existing** customer through a digital asset kiosk.”
- Section 30. “Customer charges limit. A digital asset kiosk operator may not, directly or indirectly, collect charges from a customer related to a single digital asset kiosk transaction that exceeds the greater of the following:
 - (1) \$5; or
 - (2) 18% of digital assets involved in the transaction according to the market price of the digital asset at the time the customer initiates the transaction.”
- Section 35. “Customer disclosures.
 - (a) Before engaging in each digital asset kiosk transaction with a customer, a digital asset kiosk operator shall provide written disclosure, in English and in the same language principally used by the digital asset kiosk operator to advertise, solicit, or negotiate with a customer, containing the terms and conditions of the transaction that include, at a minimum, [the information enumerated in subparagraphs (1) through (14)].
 - (b) The disclosures required by this Section shall be clear and conspicuous and provided separately from any other disclosure provided by the digital asset kiosk operator.
 - (c) A digital asset kiosk operator shall provide a customer with a receipt for any transaction made at the digital asset kiosk operator’s digital asset kiosk that includes [the information enumerated in subparagraphs (1) through (8)].”

- Section 42. “Prevention of fraudulent activity. All digital asset kiosk operators must take reasonable steps to detect and prevent fraud, including by establishing and maintaining a written anti-fraud policy.”
- Section 44. “Law enforcement access to investigative information. All digital asset kiosk operators performing business in this State must provide a dedicated communications line for relevant government agencies through a posted U.S. phone number or email address. This dedicated line shall facilitate law enforcement and regulatory agency communications with the digital asset kiosk operator in the event of a fraud report from a customer. The communications line must be frequently monitored.”
- Section 45. “Refunds.
 - (a) A digital asset kiosk operator must issue a refund to a new customer for the full amount for up to 3 fraudulent transactions made within the new customer period, upon request of the customer. To receive a refund under this subsection, a new customer must:
 - (1) have been fraudulently induced to engage in a transaction or transactions involving the digital asset kiosk;
 - (2) within 30 days after the last transaction to occur during the new customer period, contact the digital asset kiosk operator to inform them of the fraudulent nature of the transaction or transactions at issue; and
 - (3) within 60 days after the last transaction to occur during the new customer period, submit a police report or government agency report of the transaction or transactions to the digital asset kiosk operator.
 - (b) A digital asset kiosk operator must issue a refund to an existing customer for the full amount of all charges upon request of an existing customer. To receive a refund under this subsection, an existing customer must:
 - (1) have been fraudulently induced to engage in a transaction or transactions involving the digital asset kiosk;
 - (2) within 30 days after the transaction or transactions at issue, contact the digital asset kiosk operator to inform them of the fraudulent nature of the transaction or transactions at issue; and
 - (3) within 60 days after the transaction or transactions at issue, submit a police report or government agency report of the transaction or transactions to the digital asset kiosk operator.”
- Section 95. “Civil action. A claim of violations of Sections 25, 30, and 45 of this Act may be asserted in a civil action. Additionally, a prevailing resident may be awarded reasonable attorney’s fees and court costs.”

The list above provides only a summary to help orient digital asset kiosk operators to the law; each operator should carefully review DACPA’s and DAKA’s actual text to understand their legal obligations. Please be advised that the Illinois Department of Financial and Professional Regulation (“Department”) may investigate potential violations of DACPA and any other law applicable to digital asset business activity, including DAKA. For example, the Department is authorized “to receive, consider, investigate, and act upon complaints made by any person relating

to any digital asset business activity in this State.” DACPA Section 1-15(c)(4). The Department intends to contact digital asset businesses, including digital asset kiosk operators, about potential violations and other problems that the Department learns of consumers experiencing, and will also make appropriate referrals as necessary.

Finally, certain provisions of DACPA will not become operative until 2027, including the requirement for digital asset kiosk operators to register with the Department. The Department is in the process of developing the registration process for covered persons and preparing proposed administrative rules.