

INDIANA SECRETARY OF STATE  
SECURITIES DIVISION

INDIANA  
SECRETARY OF STATE

IN THE MATTER OF: )  
)  
TEMPORARY RELIEF FROM ) 20-0011 AO  
FINGERPRINT FILING )  
REQUIREMENTS )

**ADMINISTRATIVE ORDER**

Comes now Alex Glass, Indiana Securities Commissioner (“Commissioner”) and, pursuant to the authority granted by the Indiana Uniform Securities Act, Ind. Code 23-19, *et seq.* (“IUSA”) and I.C. § 23-19-6-5(a)(1) (2019), hereby issues the following Order:

Individuals applying for initial registration as an investment adviser representative are required by the IUSA to submit fingerprints for purposes of conducting a national criminal history background check. I.C. § 23-19-4-6(c)(1) (2019). This information is used by the Commissioner in determining whether an applicant should be denied registration for any reason set forth in I.C. § 23-19-4-12(d) (2019). To enforce this statute, the Division’s policy has been to require an applicant’s criminal background check to be completed before approving any application and to deny any application where an individual’s fingerprints have not been submitted in a timely manner.

On March 23, 2020, Governor Eric Holcomb issued Executive Order 20-08, directing Hoosiers to stay at home in order to combat and slow the spread of the COVID-19 outbreak.

As a result, the Indiana State Police Department has temporarily suspended obtaining certain fingerprint-based criminal history reports, including those sought by applicants seeking to register with the Division as investment adviser representatives pursuant to I.C. § 23-19-4-6(c) (2019).

The Commissioner therefore ORDERS that an application for registration as an investment adviser representative between March 1, 2020, and April 30, 2020, may be provisionally approved without receipt of the applicant’s fingerprints provided the following conditions are met:

- (a) the applicant is unable to submit the fingerprints required by I.C. § 23-19-4-6(c) (2019) due to circumstances related to the current or potential effects of COVID-19;
- (b) The registrant relying on this order with respect to the requirement to file fingerprints promptly provides the Commissioner the following information via email to [securities@sos.in.gov](mailto:securities@sos.in.gov):
  1. Affirmation that the applicant is relying on this Order;
  2. A brief description of the reasons why the applicant could not file or deliver fingerprints at the time of the application; and

3. The estimated date by which the registrant expects to file or deliver the fingerprints.

(c) The registrant submits the fingerprints as required by I.C. § 23-19-4-6(c) (2019) as soon as practicable, but not later than June 30, 2020.

Other than offering a temporary deadline extension for fingerprint submission, this Order does not alter or amend any of the examination or other eligibility requirements for registration under the IUSA.

While the Division may provisionally approve an application for registration as an investment adviser representative under the above conditions, the Division retains all rights to re-evaluate that decision after a criminal background check has been performed pursuant I.C. § 23-19-4-6(c) (2019) and I.C. § 23-19-4-12(d) (2019). An applicant may be subject to discipline if the person files an application for registration under the IUSA, including a filing through FINRA, which contains a statement which is false or misleading with respect to a material fact pursuant to I.C. § 23-19-4-12(d)(1) (2019).

An applicant's failure to submit fingerprints by the June 30, 2020, deadline set by the Commissioner may result in revocation of any registration issued pursuant to this Order. The Commissioner may extend or shorten the timeframes set forth by the Order as necessary in response to the outbreak.

SO ORDERED at Indianapolis, Indiana, this 1<sup>st</sup> day of April, 2020.

CONNIE LAWSON  
SECRETARY OF STATE



ALEX GLASS  
SECURITIES COMMISSIONER

