**§ 470.00 Definitions.**

The following definitions are applicable to this article.

1. "Monetary instrument" means coin and currency of the United States or of any other country; personal checks; bank checks; traveler's checks; money orders; and investment securities and negotiable instruments, in bearer form or otherwise, in such form that title thereto passes on delivery, except that "monetary instrument" shall not include payments to attorneys for legal services.

2. "Conducts" includes initiating, concluding or participating in initiating or concluding a transaction.

3. "Transaction" includes a payment, purchase, sale, loan, pledge, gift, transfer, or delivery, and with respect to a financial institution includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of any stock, bond, certificate of deposit, or other monetary instrument, use of a safe deposit box, or any other payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected, except that "transaction" shall not include payments to attorneys for legal services.

4. "Criminal conduct" means conduct which is a crime under the laws of this state or conduct committed in any other jurisdiction which is or would be a crime under the laws of this state.

5. "Specified criminal conduct" means criminal conduct committed in this state constituting a criminal act, as the term criminal act is defined in section 460.10 of this chapter, or constituting the crime of enterprise corruption, as defined in section 460.20 of this chapter, or conduct committed in any other jurisdiction which is or would be specified criminal conduct if committed in this state.

6. "Financial institution" means :

(a) an insured bank, as defined in section 3(b) of the Federal Deposit

Insurance Act, 12 U.S.C. 1813(h);

(b) a commercial bank or trust company;

(c) a private banker;

(d) an agency or branch of a foreign bank in the United States;

(e) a credit union;

(f) a thrift institution;

(g) a broker or dealer registered with the Securities and Exchange Commission under the Securities and Exchange Act of 1934, U.S.C. 78a et seq.;

(h) a broker or dealer in securities or commodities;

(i) an investment banker or investment company;

(j) a currency exchange;

(k) an issuer, redeemer, or cashier of travelers' checks, checks, money orders, or similar instruments;

(l) an operator of a credit card system;

(m) an insurance company;

(n) a dealer in precious metals, stones, or jewels;

(o) a pawnbroker;

(p) a loan or finance company;

(q) a travel agency;

(r) a person licensed to engage in the business of receiving money for transmission or transmitting the same by whatever means, or any other person engaged in such business as an agent of a licensee or engaged in such business without a license;

(s) a telegraph company;

(t) a business engaged in vehicle sales, including automobile, airplane and boat sales;

(u) persons involved in real estate closings and settlements;

(v) the United States Postal Service;

(w) an agency of the United States government or of a state or local government carrying out a duty or power of a business described in this subdivision;

(x) a casino, gambling casino, or gaming establishment with an annual gaming revenue of more than a million dollars which:

(i) is licensed as a casino, gambling casino or gaming establishment under the laws of any state or any political subdivision of any state; or

(ii) is an Indian gaming operation conducted under or pursuant to the Indian Gaming Regulatory Act other than an operation which is limited to class 1 gaming as defined in subdivision six of section four of such act; or

(y) any business or agency engaged in any activity which the superintendent of financial services or the United States Secretary of the Treasury determines, by regulation, to be an activity which is similar to, related to, or a substitute for activity which any business as described in this subdivision is authorized to engage.

7. "Financial transaction" means a transaction involving:

(a) the movement of funds by wire or other means; or

(b) one or more monetary instruments; or

(c) the transfer of title to any real property, vehicle, vessel or aircraft; or

(d) the use of a financial institution.

8. "Represented" means any representation made by a law enforcement officer, or by another person at the direction of, or with the approval of, such law enforcement officer.

9. "Law enforcement officer" means any public servant, federal or state, who is authorized to conduct an investigation, prosecute or make an arrest for a criminal offense.

10. For the purpose of this article, each of the five counties in the city of New York shall be considered as a separate county.