

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2064

AN ACT

AMENDING TITLE 12, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 22; RELATING TO THE APPLICATION OF FOREIGN LAWS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 12, Arizona Revised Statutes, is amended by adding
3 chapter 22, to read:

4 CHAPTER 22
5 APPLICATION OF FOREIGN LAWS
6 ARTICLE 1. GENERAL PROVISIONS

7 12-3101. Definition

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES, "FOREIGN LAW"
9 MEANS ANY LAW, RULE OR LEGAL CODE OR SYSTEM OTHER THAN THE CONSTITUTION, LAWS
10 AND RATIFIED TREATIES OF THE UNITED STATES AND THE TERRITORIES OF THE UNITED
11 STATES, OR THE CONSTITUTION AND LAWS OF THIS STATE.

12 12-3102. Application

13 A. THIS CHAPTER APPLIES ONLY TO ACTUAL VIOLATIONS OF THE
14 CONSTITUTIONAL RIGHTS OF A PERSON OR ACTUAL CONFLICT WITH THE LAWS OF THIS
15 STATE CAUSED BY THE APPLICATION OF THE FOREIGN LAW.

16 B. THIS CHAPTER DOES NOT APPLY TO A CORPORATION, PARTNERSHIP OR OTHER
17 FORM OF BUSINESS ASSOCIATION.

18 12-3103. Prohibited enforcement of foreign law

19 A COURT, ARBITRATOR, ADMINISTRATIVE AGENCY OR OTHER ADJUDICATIVE,
20 MEDIATION OR ENFORCEMENT AUTHORITY SHALL NOT ENFORCE A FOREIGN LAW IF DOING
21 SO WOULD VIOLATE A RIGHT GUARANTEED BY THE CONSTITUTION OF THIS STATE OR OF
22 THE UNITED STATES OR CONFLICT WITH THE LAWS OF THE UNITED STATES OR OF THIS
23 STATE.

24 Sec. 2. Legislative intent

25 The legislature intends that the public policy of this state is to
26 protect its citizens from the application of foreign laws when the
27 application of a foreign law will result in the violation of a right
28 guaranteed by the constitution of this state or of the United States or
29 conflict with the laws of this state.