

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2064

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

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,
10 LAWS, AND RATIFIED TREATIES OF THE UNITED STATES AND THE TERRITORIES OF THE
11 UNITED STATES, OR THE CONSTITUTION AND LAWS OF THIS STATE.

12 12-3102. Application

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

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1 guaranteed by the constitution of this state or of the United States or
2 conflict with the laws of this state."
3 Amend title to conform

RON GOULD

3/17/11
4:09 PM
S: GK/tf