

REFERENCE TITLE: international money transfer; requirements; tax

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HCR 2032

Introduced by
Representatives Gillette: Biasiucci, Chaplik, Harris, Heap, Marshall,
Parker B

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING
TO WIRE TRANSFERS OF MONEY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona,
2 the Senate concurring:

3 1. Under the power of the referendum, as vested in the
4 Legislature, the following measure, relating to wire transfers of money,
5 is enacted to become valid as a law if approved by the voters and on
6 proclamation of the Governor:

7 AN ACT

8 AMENDING TITLE 6, CHAPTER 12, ARTICLE 1, ARIZONA REVISED
9 STATUTES, BY ADDING SECTION 6-1235; AMENDING TITLE 42, CHAPTER
10 5, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 11; RELATING TO
11 WIRE TRANSFERS OF MONEY.

12 Be it enacted by the Legislature of the State of Arizona:

13 Section 1. Title 6, chapter 12, article 1, Arizona
14 Revised Statutes, is amended by adding section 6-1235, to
15 read:

16 6-1235. Money transfer; requirements; prohibition

17 A. EACH ELECTRONIC MONEY TRANSMISSION SHALL INCLUDE:

- 18 1. THE NAME OF THE PARTY SENDING THE MONEY.
- 19 2. THE NAME OF THE PARTY RECEIVING THE MONEY.
- 20 3. THE COUNTRY TO WHICH THE MONEY IS TRANSMITTED.
- 21 4. THE AMOUNT OF THE TRANSMITTED MONEY.

22 B. A PERSON MAY NOT TRANSMIT MORE THAN \$5,000 WITHIN A
23 TWENTY-FOUR-HOUR PERIOD.

24 C. AN ELECTRONIC MONEY TRANSMISSION MAY NOT BE MADE TO
25 A PERSON THAT THE DEPARTMENT OF PUBLIC SAFETY OR LOCAL LAW
26 ENFORCEMENT ASSOCIATES WITH CRIMINAL DRUG OR BORDER
27 ACTIVITIES.

28 Sec. 2. Title 42, chapter 5, Arizona Revised Statutes,
29 is amended by adding article 11, to read:

30 ARTICLE 11. TAX ON INTERNATIONAL MONEY WIRE TRANSFERS

31 42-5461. Levy of tax

32 A. THERE IS LEVIED AND THE DEPARTMENT SHALL COLLECT A
33 TAX ON ANY ENTITY THAT TRANSMITS WIRE TRANSFERS OF MONEY. THE
34 TAX IS LEVIED AT A RATE OF THIRTY PERCENT OF EACH WIRE
35 TRANSFER OF MONEY TRANSACTION THAT IS FACILITATED BY A PERSON
36 WHO IS NOT LAWFULLY PRESENT IN THIS COUNTRY AND THAT IS
37 TRANSMITTED TO A LOCATION OUTSIDE THE UNITED STATES.

38 B. THE TAXPAYER SHALL PAY THE TAX TO THE DEPARTMENT AT
39 THE SAME TIME AS PAYING THE TRANSACTION PRIVILEGE TAX UNDER
40 SECTION 42-5064. IF THE TAXPAYER FOR ANY REASON DOES NOT PAY
41 TRANSACTION PRIVILEGE TAX, THE TAX IMPOSED BY THIS ARTICLE IS
42 DUE AND PAYABLE TO THE DEPARTMENT, AND IS DELINQUENT IF NOT
43 PAID, AS PROVIDED IN SECTION 42-5014, SUBSECTION A.

1 42-5462. Administration

2 UNLESS THE CONTEXT OTHERWISE REQUIRES, ARTICLE 1 OF THIS
3 CHAPTER GOVERNS THE ADMINISTRATION, COLLECTION AND ENFORCEMENT
4 OF THE ASSESSMENT IMPOSED BY THIS ARTICLE, EXCEPT THAT:

5 1. IF THE TAXPAYER IS SUBJECT TO A TRANSACTION
6 PRIVILEGE TAX:

7 (a) A SEPARATE LICENSE AND BOND ARE NOT REQUIRED FOR
8 THE ASSESSMENT IMPOSED BY THIS ARTICLE, BUT THE ASSESSMENT DUE
9 UNDER THIS ARTICLE SHALL BE INCLUDED, REPORTED AND PAID WITH
10 THE TRANSACTION PRIVILEGE TAX, WITH A SEPARATE ACCOUNTING FOR
11 THE ASSESSMENT IMPOSED BY THIS ARTICLE.

12 (b) THE ASSESSMENT IMPOSED BY THIS ARTICLE MAY BE
13 INCLUDED WITHOUT SEGREGATION IN ANY NOTICE AND LIEN FILED FOR
14 UNPAID TRANSACTION PRIVILEGE TAXES.

15 2. A SEPARATE BOND IS NOT REQUIRED OF EMPLOYEES OF THE
16 DEPARTMENT IN ADMINISTERING THIS ARTICLE.

17 42-5463. Disposition of revenue

18 THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR MONIES PAID
19 UNDER THIS ARTICLE AND SHALL TRANSFER FIFTY PERCENT OF THE NET
20 REVENUES TO THE DEPARTMENT OF PUBLIC SAFETY AND FIFTY PERCENT
21 OF THE NET REVENUES TO THE DEPARTMENT OF EMERGENCY AND
22 MILITARY AFFAIRS.

23 2. The Secretary of State shall submit this proposition to the
24 voters at the next general election as provided by article IV, part 1,
25 section 1, Constitution of Arizona.