

REFERENCE TITLE: **illegal aliens; money transfers; tax**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HCR 2045

Introduced by
Representatives Gillette: Biasiucci, Bliss, Heap, Hendrix, Livingston,
Nguyen, Payne, Smith, Willoughby

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 Legislature,
4 the following measure, relating to wire transfers of money, is enacted to
5 become valid as a law if approved by the voters and on proclamation of the
6 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 FACILITATED BY A
18 PERSON WHO IS NOT LAWFULLY PRESENT IN THIS COUNTRY SHALL
19 INCLUDE:

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

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

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

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

32 ARTICLE 11. TAX ON INTERNATIONAL MONEY WIRE TRANSFERS

33 42-5461. Levy of tax

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

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

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42-5462. Administration

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

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

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

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

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

42-5463. Disposition of revenue

THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR MONIES PAID UNDER THIS ARTICLE AND SHALL TRANSFER ONE-THIRD OF THE NET REVENUES TO EACH OF THE FOLLOWING:

1. THE DEPARTMENT OF PUBLIC SAFETY.
2. THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS.
3. THE ARIZONA DEPARTMENT OF HOMELAND SECURITY.

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