

REFERENCE TITLE: international remittances of monies

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2464

Introduced by
Representatives Pearce, Murphy: Anderson

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 34; RELATING TO INTERNATIONAL REMITTANCES OF MONIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 34, to read:

4 CHAPTER 34

5 INTERNATIONAL REMITTANCES OF MONIES

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7701. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "BUSINESS ENTITY" MEANS A PERSON OR GROUP OF PERSONS PERFORMING OR
10 ENGAGING IN ANY ACTIVITY, ENTERPRISE, PROFESSION OR OCCUPATION FOR GAIN,
11 BENEFIT, ADVANTAGE OR LIVELIHOOD WHETHER FOR PROFIT OR NOT FOR PROFIT.
12 BUSINESS ENTITY INCLUDES:

13 (a) SELF-EMPLOYED INDIVIDUALS, PARTNERSHIPS, CORPORATIONS, CONTRACTORS
14 AND SUBCONTRACTORS.

15 (b) ANY BUSINESS ENTITY THAT POSSESSES A BUSINESS PERMIT, LICENSE OR
16 TAX CERTIFICATE ISSUED BY THIS STATE, ANY BUSINESS ENTITY THAT IS EXEMPT BY
17 LAW FROM OBTAINING A BUSINESS PERMIT, LICENSE OR TAX CERTIFICATE AND ANY
18 BUSINESS ENTITY THAT IS OPERATING UNLAWFULLY WITHOUT A BUSINESS PERMIT,
19 LICENSE OR TAX CERTIFICATE.

20 2. "INDIVIDUAL" MEANS A NATURAL PERSON OR BUSINESS ENTITY.

21 44-7702. Money transfers; payment of income taxes; photo
22 identification; document retention

23 A. AN INDIVIDUAL MAY NOT TRANSFER MONIES FROM WITHIN THIS STATE TO ANY
24 COUNTRY OUTSIDE OF THE UNITED STATES VIA WIRE TRANSFER, ELECTRONIC TRANSFER,
25 PERSONAL CHECK, CASHIER'S CHECK, TRANSFER OF CASH OR ANY OTHER METHOD UNLESS
26 THE INDIVIDUAL HAS PAID INCOME TAXES IN THIS STATE ON INCOME EQUIVALENT TO OR
27 EXCEEDING THE SUM OF MONIES TRANSFERRED OR THE INCOME TAXES HAVE BEEN
28 WITHHELD FROM THE INDIVIDUAL'S INCOME WITHIN THE PRECEDING ONE HUNDRED TWENTY
29 DAYS.

30 B. ANY BUSINESS ENTITY TRANSFERRING MONIES FROM WITHIN THIS STATE TO
31 ANY COUNTRY OUTSIDE OF THE UNITED STATES ON BEHALF OF ANY INDIVIDUAL SHALL
32 NOT TRANSFER THE MONIES UNLESS THE INDIVIDUAL PROVIDES DOCUMENTARY PROOF TO
33 THE BUSINESS ENTITY THAT THE INDIVIDUAL HAS PAID INCOME TAXES IN THIS STATE
34 ON INCOME EQUIVALENT TO OR EXCEEDING THE SUM OF MONIES TRANSFERRED OR THE
35 INCOME TAXES HAVE BEEN WITHHELD FROM THE INDIVIDUAL'S INCOME WITHIN THE
36 PRECEDING ONE HUNDRED TWENTY DAYS. THE INDIVIDUAL MUST ALSO PROVIDE A PHOTO
37 IDENTIFICATION DOCUMENT CORRESPONDING TO THE INDIVIDUAL AND TO THE NAME ON
38 THE DOCUMENTATION OF TAX WITHHOLDING OR PAYMENT. THE PHOTO IDENTIFICATION
39 DOCUMENT MUST EITHER BE ISSUED BY A STATE GOVERNMENT OF THE UNITED STATES OR
40 THE UNITED STATES FEDERAL GOVERNMENT OR MUST BE AN OFFICIAL PASSPORT ISSUED
41 BY A FOREIGN GOVERNMENT. A CONSULAR IDENTIFICATION DOCUMENT ISSUED BY A
42 FOREIGN GOVERNMENT DOES NOT SATISFY THE REQUIREMENTS OF THIS SUBSECTION.

43 C. A BUSINESS ENTITY TRANSFERRING MONIES FROM WITHIN THIS STATE TO ANY
44 COUNTRY OUTSIDE OF THE UNITED STATES ON BEHALF OF ANY INDIVIDUAL SHALL RETAIN

1 COPIES OF ANY DOCUMENTARY PROOF OF PAYMENT OF TAXES AND PHOTO IDENTIFICATION
2 PROVIDED FOR A PERIOD OF TEN YEARS AFTER EACH TRANSFER.

3 44-7703. Violation; classification

4 AN INDIVIDUAL OR BUSINESS ENTITY THAT VIOLATES THIS CHAPTER IS GUILTY
5 OF A CLASS 6 FELONY, EXCEPT THAT THE FINE IMPOSED ON THE INDIVIDUAL OR
6 BUSINESS ENTITY SHALL NOT EXCEED FIFTY THOUSAND DOLLARS FOR EACH TRANSFER.

7 44-7704. Enforcement

8 THIS CHAPTER SHALL BE ENFORCED BY THE SECRETARY OF STATE, THE ATTORNEY
9 GENERAL AND THE COUNTY ATTORNEY IN THE COUNTY IN WHICH A VIOLATION OF THIS
10 CHAPTER OCCURS.

11 Sec. 2. Short title

12 Title 44, chapter 34, Arizona Revised Statutes, as added by this act,
13 may be cited as the "Arizona Prevention of Tax Evasion Through International
14 Remittances Act".