

State of Arizona  
Senate  
Fifty-first Legislature  
First Regular Session  
2013

## **SB 1439**

Introduced by  
Senators Crandell, Burges; Representatives Barton, Farnsworth, Stevens;  
Senators Melvin, Shooter, Ward, Worsley; Representatives Borrelli, Gowan,  
Thorpe

AN ACT

AMENDING TITLE 1, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 7; RELATING TO  
LEGAL TENDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 1, Arizona Revised Statutes, is amended by adding  
3 chapter 7, to read:

4 CHAPTER 7

5 LEGAL TENDER

6 ARTICLE 1. GENERAL PROVISIONS

7 1-701. Definition of specie legal tender

8 IN THE STATUTES AND LAWS OF THIS STATE, UNLESS THE CONTEXT OTHERWISE  
9 REQUIRES:

10 1. "LEGAL TENDER" MEANS AN AUTHORIZED MEDIUM OF EXCHANGE FOR THE  
11 PAYMENT OF DEBTS AND TAXES.

12 2. "SPECIE" MEANS COIN OR BULLION HAVING GOLD OR SILVER CONTENT.

13 1-702. Legal tender recognition; use of specie

14 A. LEGAL TENDER IN THIS STATE CONSISTS OF ALL OF THE FOLLOWING:

15 1. LEGAL TENDER AUTHORIZED BY CONGRESS.

16 2. SPECIE COIN ISSUED AT ANY TIME BY THE UNITED STATES GOVERNMENT.

17 3. ANY OTHER SPECIE THAT A COURT OF COMPETENT JURISDICTION RULES BY A  
18 FINAL, UNAPPEALABLE ORDER TO BE WITHIN THE SCOPE OF STATE AUTHORITY TO MAKE A  
19 LEGAL TENDER.

20 B. EXCEPT AS EXPRESSLY PROVIDED BY CONTRACT, A PERSON MAY NOT COMPEL  
21 ANY OTHER PERSON TO TENDER OR ACCEPT SPECIE LEGAL TENDER.

22 1-703. Legal tender exchanges; payment of taxes

23 A. NOTWITHSTANDING ANY OTHER LAW, THE EXCHANGE OF ONE FORM OF LEGAL  
24 TENDER FOR ANOTHER DOES NOT GIVE RISE TO LIABILITY FOR ANY TYPE OF TAX.

25 B. ANY TAX THAT IS DUE AS A CONSEQUENCE OF A TRANSACTION THAT INVOLVES  
26 SPECIE LEGAL TENDER SHALL BE PAID PROPORTIONATELY IN THE SAME LEGAL TENDER.

27 C. LEGAL TENDER IS MONEY AND IS NOT SUBJECT TO TAXATION OR REGULATION  
28 AS PROPERTY OTHER THAN MONEY.

29 1-704. Enforcement

30 THE ATTORNEY GENERAL SHALL ENFORCE THIS CHAPTER WITHOUT PREJUDICE TO AN  
31 INDIVIDUAL'S RIGHT OF JUDICIAL ACTION PURSUANT TO THIS CHAPTER.