State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

HB 2223

Introduced by
Representative Lawrence

AN ACT

AMENDING TITLE 35, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 35-153; RELATING TO MONEY TRANSFERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 35, chapter 1, article 3, Arizona Revised Statutes, is amended by adding section 35-153, to read:

35-153. Withholding of state shared revenue from cities, towns and counties that restrict information gathering and sharing; attorney general determination; notice

A. A CITY, TOWN OR COUNTY MAY NOT HAVE IN EFFECT ANY LAW, POLICY OR procedure that does any of the following:

1. Prohibits or in any way restricts any government entity or official from sending to, or receiving from, the United States Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any person.

2. Prohibits a city, town or county law enforcement officer or agency from gathering information regarding the citizenship or immigration status, lawful or unlawful, of any individual and from:
   (a) Sending the information to, or requesting or receiving the information from, the United States Immigration and Naturalization Service.
   (b) Maintaining the information.
   (c) Exchanging the information with any other federal, state or local government entity.

3. Allows the city, town or county to issue a government identification card or any other document that purports to authorize a person’s presence in this state if the person’s presence in this state is in violation of federal immigration law or that attempts in any way to prevent the person from being removed from this state by the federal government.

B. If the attorney general determines that a city, town or county is in violation of subsection A of this section, the attorney general shall notify the city, town or county of the violation and that the city, town or county has sixty days to comply with subsection A of this section.

C. If the attorney general determines that the city, town or county has failed to comply with subsection A of this section within sixty days after a notice has been issued pursuant to subsection B of this section, the attorney general may direct the state treasurer, to the extent not otherwise expressly prohibited by law, to withhold the monies due to the city, town or county from the next succeeding distribution of monies pursuant to section 42-5029. In the case of a city or town that is in violation of subsection A of this section, the state treasurer shall also withhold the monies due to the city or town from the next succeeding distribution of monies pursuant to section 43-206. The state treasurer shall continue to withhold monies until the attorney general determines that the city, town or county is not in violation of subsection A of this section. The state treasurer shall redistribute the monies withheld pursuant to this subsection among all other cities, towns and counties in proportion to their population as provided by section 42-5029, subsection D and in the case of a city or town, as provided by section 43-206, subsection B. If the attorney general determines that the
CITY, TOWN OR COUNTY IS NOT IN VIOLATION OF SUBSECTION A OF THIS SECTION, THE ATTORNEY GENERAL SHALL DIRECT THE STATE TREASURER TO RESTORE THE NEXT SUCCEEDING DISTRIBUTION OF MONIES PURSUANT TO SECTIONS 42-5029 AND 43-206. A CITY, TOWN OR COUNTY IS NOT ENTITLED TO THE PAYMENT OF ANY MONIES THAT WERE WITHHELD PURSUANT TO THIS SUBSECTION.