

REFERENCE TITLE: prohibited money transfers; immigration; violations

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

SB 1378

Introduced by
Senators Smith, Kavanagh; Representatives Borrelli, Finchem; Senators
Biggs, Burges, Farnsworth D, Lesko, Shooter, Yee; Representatives Kern,
Livingston, Montenegro

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)

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

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

4 35-153. Prohibited money transfers to a sanctuary city, town or
5 county; attorney general or county attorney
6 investigation; electronic notification; website list;
7 definition

8 A. NOTWITHSTANDING ANY OTHER LAW AND EXCEPT AS REQUIRED BY THE
9 CONSTITUTION OF ARIZONA, THE STATE TREASURER MAY NOT TRANSFER ANY MONIES FROM
10 THE STATE GENERAL FUND OR ANY OTHER FUND TO A CITY, TOWN OR COUNTY TREASURER
11 IF THE CITY, TOWN OR COUNTY IS A SANCTUARY CITY. THE STATE TREASURER MAY NOT
12 TRANSFER MONIES TO A CITY, TOWN OR COUNTY THAT IS A SANCTUARY CITY UNTIL THE
13 STATE TREASURER RECEIVES A NOTIFICATION FROM THE ATTORNEY GENERAL OR COUNTY
14 ATTORNEY PURSUANT TO SUBSECTION C OF THIS SECTION OR THE CITY, TOWN OR COUNTY
15 TREASURER ATTESTS THAT THE CITY, TOWN OR COUNTY IS NOT A SANCTUARY CITY. A
16 CITY, TOWN OR COUNTY IS NOT ENTITLED TO THE PAYMENT OF ANY MONIES THAT WERE
17 WITHHELD PURSUANT TO THIS SECTION.

18 B. BY JANUARY 1 OF EACH YEAR, EVERY CITY, TOWN OR COUNTY TREASURER
19 SHALL PROVIDE AN ELECTRONIC NOTIFICATION TO THE STATE TREASURER ATTESTING
20 THAT THE TREASURER'S CITY, TOWN OR COUNTY IS NOT A SANCTUARY CITY. THE
21 TREASURER MAY INCLUDE THE ELECTRONIC NOTIFICATION IN ANY OTHER REPORT OR
22 NOTIFICATION THAT THE CITY, TOWN OR COUNTY IS REQUIRED TO PROVIDE TO THE
23 STATE TREASURER.

24 C. THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY IN THE COUNTY IN WHICH
25 THE ALLEGED SANCTUARY CITY IS LOCATED MAY INVESTIGATE A CITY, TOWN OR COUNTY
26 TO DETERMINE IF THE CITY, TOWN OR COUNTY IS A SANCTUARY CITY. A CITIZEN MAY
27 MAKE A REQUEST FOR THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY IN THE COUNTY
28 IN WHICH THE ALLEGED SANCTUARY CITY IS LOCATED TO INVESTIGATE WHETHER A CITY,
29 TOWN OR COUNTY IS A SANCTUARY CITY. THE ATTORNEY GENERAL OR COUNTY ATTORNEY
30 SHALL NOTIFY THE STATE TREASURER AND THE CITY, TOWN OR COUNTY IF THE ATTORNEY
31 GENERAL OR COUNTY ATTORNEY DETERMINES THAT THE CITY, TOWN OR COUNTY IS A
32 SANCTUARY CITY. ON RECEIPT OF THE NOTICE FROM THE ATTORNEY GENERAL OR COUNTY
33 ATTORNEY, THE STATE TREASURER IS PROHIBITED FROM TRANSFERRING MONIES PURSUANT
34 TO SUBSECTION A OF THIS SECTION. THE ATTORNEY GENERAL OR COUNTY ATTORNEY
35 SHALL IMMEDIATELY NOTIFY THE STATE TREASURER IF THE ATTORNEY GENERAL OR
36 COUNTY ATTORNEY DETERMINES THAT THE CITY, TOWN OR COUNTY IS NO LONGER A
37 SANCTUARY CITY. IF THE STATE TREASURER RECEIVES A NOTICE FROM THE ATTORNEY
38 GENERAL OR COUNTY ATTORNEY THAT A CITY, TOWN OR COUNTY IS NO LONGER A
39 SANCTUARY CITY, THE STATE TREASURER SHALL RENEW TRANSFERRING MONIES TO THE
40 CITY, TOWN OR COUNTY FROM THE STATE GENERAL FUND OR ANY OTHER FUND AS SOON AS
41 REASONABLY POSSIBLE.

42 D. THE STATE TREASURER SHALL ANNUALLY LIST ON ITS WEBSITE THE NAMES OF
43 ALL THE CITIES, TOWNS AND COUNTIES TO WHICH THE STATE TREASURER IS, OR WAS AT
44 ANY TIME DURING THE YEAR, PROHIBITED FROM TRANSFERRING MONIES PURSUANT TO
45 SUBSECTION A OF THIS SECTION.

1 E. THE STATE TREASURER SHALL REDISTRIBUTE ANY MONIES THAT WERE
2 WITHHELD FROM A CITY, TOWN OR COUNTY PURSUANT TO SUBSECTION A OF THIS SECTION
3 TO THE CITIES, TOWNS OR COUNTIES THAT ARE NOT SANCTUARY CITIES.

4 F. FOR THE PURPOSES OF THIS SECTION, "SANCTUARY CITY" MEANS A CITY,
5 TOWN OR COUNTY THAT HAS IN EFFECT ANY LAW, POLICY OR PROCEDURE THAT VIOLATES
6 SECTION 1-501, 1-502 OR 11-1051.

7 Sec. 2. Short title

8 This act may be cited as the "Sanctuary Cities Prohibition Act".