

REFERENCE TITLE: technical correction; taxes; intangible income

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1119

Introduced by
Senator Kaiser

AN ACT

AMENDING SECTION 43-1092, ARIZONA REVISED STATUTES; RELATING TO INCOME TAX
OF NONRESIDENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 43-1092, Arizona Revised Statutes, is amended to
3 read:

4 43-1092. Intangible income of a nonresident

5 A. Except as provided in subsection B of this section, income of
6 nonresidents from stocks, bonds, notes or other intangible personal
7 property is not income from sources within this state unless the property
8 has acquired a business situs within this state, except that if a
9 nonresident buys or sells such property in this state or places orders
10 with brokers within this state to buy or sell such property so regularly,
11 systematically and continuously as to constitute doing business in this
12 state, the profit or gain derived from such activity is income from
13 sources within this state irrespective of the situs of the
14 property. However, in no case shall transactions extending over a period
15 of less than six months be deemed to constitute doing business in this
16 state.

17 B. Any income received by nonresidents ~~which~~ THAT is derived from a
18 small business corporation making an election pursuant to section 43-1126
19 shall be considered taxable income ~~of~~ IN this state.