

House Engrossed Senate Bill

~~revenue department; technical correction~~
(now: money transmission; notice)

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1034

AN ACT

AMENDING TITLE 6, CHAPTER 12, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 6-1235; RELATING TO MONEY TRANSMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 6, chapter 12, article 1, Arizona Revised
3 Statutes, is amended by adding section 6-1235, to read:

4 6-1235. Money transmission; transmission of money by wire or
5 electronic transfer; consumer fraud warnings;
6 requirements; applicability

7 A. A LICENSEE THAT ENGAGES IN THE BUSINESS OF RECEIVING MONEY FOR
8 TRANSMISSION ON BEHALF OF CONSUMERS FOR PERSONAL, FAMILY OR HOUSEHOLD
9 PURPOSES SHALL PROVIDE CONSUMER FRAUD WARNINGS IN ACCORDANCE WITH
10 SUBSECTION B OF THIS SECTION THAT INCLUDE ALL OF THE FOLLOWING:

11 1. THE RISKS OF CONSUMER FRAUD AND HOW TO FIND ADDITIONAL
12 INFORMATION ABOUT CONSUMER FRAUD REGARDING MONEY TRANSMISSION.

13 2. INFORMATION ABOUT THE DANGERS OF TRANSMITTING MONEY TO UNKNOWN
14 PERSONS OR TO PERSONS WHOM THE SENDER CANNOT VERIFY.

15 3. INFORMATION ABOUT HOW TO STOP A MONEY TRANSMISSION, IF THAT
16 OPTION IS AVAILABLE.

17 4. INFORMATION WARNING THE SENDER THAT MONIES MAY NOT BE RETURNED
18 ONCE THE MONEY TRANSMISSION IS COMPLETE.

19 B. THE LICENSEE SHALL PROVIDE THE INFORMATION AS PRESCRIBED IN
20 SUBSECTION A OF THIS SECTION TO A CONSUMER BEFORE TRANSMITTING ANY MONEY
21 BY EITHER OF THE FOLLOWING METHODS:

22 1. IN PERSON, IN A DOCUMENT OR OTHER MATERIALS PROVIDED DIRECTLY TO
23 THE CONSUMER OR DISPLAYED PROMINENTLY IN THE LOCATION IN WHICH THE
24 LICENSEE OR AN AUTHORIZED DELEGATE OF THE LICENSEE ENGAGES IN RECEIVING
25 MONEY FOR TRANSMISSION. THE WRITTEN WARNING SHALL BE IN A TYPE THAT
26 CONTRASTS WITH THE BACKGROUND AGAINST WHICH THE WRITTEN WARNING APPEARS.

27 2. THROUGH ELECTRONIC TRANSMISSION. THE WRITTEN WARNING SHALL BE
28 IN A TYPE THAT CONTRASTS WITH THE BACKGROUND AGAINST WHICH THE WRITTEN
29 WARNING APPEARS.

30 C. THIS SECTION DOES NOT APPLY TO EITHER OF THE FOLLOWING:

31 1. AN ELECTRONIC FUNDS TRANSFER WHERE THE MONIES ARE NOT
32 TRANSFERRED DIRECTLY TO ANOTHER PERSON AND ARE NOT AVAILABLE FOR IMMEDIATE
33 USE.

34 2. AN ELECTRONIC FUNDS TRANSFER THAT IS MADE WITH A GIFT
35 CERTIFICATE.

36 3. A LICENSEE THAT CAN DEMONSTRATE THEY PROVIDE OR REQUIRE THEIR
37 AUTHORIZED DELEGATE TO PROVIDE ANNUAL FRAUD PREVENTION TRAINING TO
38 EMPLOYEES THAT COVERS THE INDICIA OF FRAUD ASSOCIATED WITH ELECTRONIC
39 MONEY TRANSFERS.