

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

CHAPTER 170

HOUSE BILL 2842

AN ACT

AMENDING SECTION 13-2319, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 23, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2322; RELATING TO PROPERTY TRANSACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2319, Arizona Revised Statutes, is amended to
3 read:

4 13-2319. Smuggling; classification; definitions

5 A. It is unlawful for a person to intentionally engage in the
6 smuggling of human beings for profit or commercial purpose.

7 B. A violation of this section is a class 4 felony.

8 C. Notwithstanding subsection B, a violation of this section is a
9 class 2 felony if the human being smuggled is under eighteen years of age and
10 not accompanied by a family member over the age of eighteen. Chapter 10 of
11 this title does not apply to a violation of this subsection.

12 D. For the purposes of this section:

13 1. "Family member" means the person's parent, grandparent, sibling or
14 any other person related to the person by consanguinity or affinity to the
15 second degree.

16 2. "Smuggling of human beings" means the transportation, ~~or~~
17 procurement of transportation OR USE OF PROPERTY OR REAL PROPERTY by a person
18 or an entity that knows or has reason to know that the person or persons
19 transported or to be transported are not United States citizens, permanent
20 resident aliens or persons otherwise lawfully in this state.

21 Sec. 2. Title 13, chapter 23, Arizona Revised Statutes, is amended by
22 adding section 13-2322, to read:

23 13-2322. Unlawful transactions involving drop house properties;
24 classification; definition

25 A. A PERSON OR COMPANY THAT OWNS, SELLS, LEASES OR BROKERS A
26 TRANSACTION INVOLVING PROPERTY OR REAL PROPERTY THAT THE PERSON OR COMPANY
27 KNOWS WILL BE USED AS A DROP HOUSE IS GUILTY OF A CLASS 4 FELONY.

28 B. IT IS A DEFENSE TO A PROSECUTION PURSUANT TO THIS SECTION IF BOTH
29 OF THE FOLLOWING APPLY:

30 1. THE PERSON OR COMPANY ACQUIRES ACTUAL KNOWLEDGE THAT THE PROPERTY
31 OR REAL PROPERTY IS BEING USED AS A DROP HOUSE AFTER THE PERSON OR COMPANY
32 ACQUIRES OWNERSHIP OF, SELLS, LEASES OR BROKERS A TRANSACTION INVOLVING THE
33 PROPERTY OR REAL PROPERTY.

34 2. THE PERSON OR COMPANY REPORTS THIS INFORMATION TO A LAW ENFORCEMENT
35 AGENCY.

36 C. FOR THE PURPOSES OF THIS SECTION, "DROP HOUSE" MEANS PROPERTY OR
37 REAL PROPERTY THAT IS USED TO FACILITATE SMUGGLING PURSUANT TO SECTION
38 13-2319.

APPROVED BY THE GOVERNOR MAY 7, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2008.