

BILL ANALYSIS

Senate Research Center
78R8311 MCK-D

H.B. 177
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International Relations and Trade
5/12/2003
Engrossed

DIGEST AND PURPOSE

International matchmaking organizations (IMOs) broker marriages between citizens of other countries and citizens of the United States. The IMO industry has grown rapidly in recent years, and concerns have arisen about the exploitation and abuse of foreign women. H.B. 177 regulates IMOs practicing in Texas by requiring them to provide information on the marital and criminal histories of the persons seeking spouses to the foreign candidates for marriage.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. DEFINITIONS. Defines: "basic rights information," "client," "criminal history record information," "international matchmaking organization," "marital history information," and "recruit."

SECTION 2. NOTICE OF AVAILABILITY OF CRIMINAL HISTORY, MARITAL HISTORY, AND BASIC RIGHTS INFORMATION. (a) Requires an international matchmaking organization to provide each recruit with the criminal history record information and marital history information of its clients and with basic rights information.

(b) Requires the information under Subsection (a) of this section to be in the recruit's native language, and displayed in a manner that separates the criminal history record information, the marital history information, and the basic rights information from any other information, and is highly noticeable.

SECTION 3. PROVIDING CRIMINAL HISTORY, MARITAL HISTORY, AND BASIC RIGHTS INFORMATION. (a) Requires an international matchmaking organization to disseminate to a recruit the criminal history record information and marital history information of a client and the basic rights information not later than the 30th day after the date the international matchmaking organization receives the criminal history record information and the marital history information from the client.

(b) Requires the international matchmaking organization to provide the information to the recruit in the recruit's native language. Requires the international matchmaking organization to pay the costs incurred to translate the information.

SECTION 4. OBTAINING CRIMINAL HISTORY RECORD INFORMATION AND MARITAL HISTORY INFORMATION. (a) Requires the client to:

- (1) obtain a copy of the person's own criminal history record information;
- (2) provide the criminal history record information to the international matchmaking organization; and
- (3) provide to the international matchmaking organization the person's own marital

history information.

(b) Requires the international matchmaking organization to require the client to affirm that the marital history information is complete and accurate and includes information regarding marriages, annulments, and dissolutions that occurred in another state or a foreign country.

(c) Prohibits the international matchmaking organization from providing any further services to the client or the recruit until the organization has obtained the requested criminal history record information and marital history information, and provided the information to the recruit.

SECTION 5. CIVIL PENALTY. (a) Provides that an international matchmaking organization that violates this Act is subject to a civil penalty not to exceed \$20,000 for each violation.

(b) Sets forth considerations for the court in determining the amount of the civil penalty.

(c) Authorizes the attorney general or the appropriate district or county attorney to bring an action under this section in the name of the state in a district court of Travis County or of a county in which any part of the violation occurs.

(d) Requires a penalty collected under this section by the attorney general or a district or county attorney to be deposited in the state treasury to the credit of the compensation to victims of crime fund under Article 56.34, Code of Criminal Procedure.

SECTION 6. EFFECTIVE DATE. Effective date: September 1, 2003.