

BILL ANALYSIS

C.S.H.B. 177

By: McCall

House Committee on Business & Industry
Committee Report (Substituted)

BACKGROUND AND PURPOSE

As of 1999 there were an estimated 200 mail order bride companies; these arrange between 2000 and 5000 marriages in the US each year. This is about 2% to 5% of all immigrants admitted as the wives of US citizens. According to the Immigration and Naturalization Services (INS), the growth of these services has been phenomenal. A study commissioned by INS cites growth of this market as a result of the break up of the former Soviet Union and the Internet. INS estimates that about 4% to 6% of the 100,000 women seeking mail order marriage to a US citizen will find it.

This bill would regulate certain international matchmaking organizations, requiring dissemination of certain information regarding criminal history, marital history and basic rights information to prospective brides.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Definitions of Basic rights information, Client, Criminal History Information, International Matchmaking Organization (IMO), Marital History and Recruit. For the purposes of this Act, "International matchmaking organization" means a corporation, partnership, sole proprietorship, or other legal entity that does business in the United State's and offers to clients dating, matrimonial, or social referral services involving recruits by: (A) exchanging names, telephone numbers, addresses, or statistics; (B) selecting photographs; or C) providing a social environment for introducing clients to recruits in a country other than the United States. Notice of availability of criminal history, marital history and basic rights to recruit. Requirements for information to be provided and displayed. Procedure for obtaining criminal and marital history. Providing for a Civil Penalty. IMO that violates this act is subject to a civil penalty not to exceed \$20,000 for each violation. Considerations of penalty and authority outlined.

EFFECTIVE DATE

Effective date of this Act is September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 177 modifies the original by adding a definition for "basic rights information" and renumbers subsequent subsections. Provides a redefinition of International Matchmaking Organization by deleting "for a fee". Inclusion of "basic rights information" in information to be provided to recruits. Requires IMO to disseminate information no later than 30 days after it receives it. Provides that IMO will pay for translating services. Penalty collected shall be deposited to the credit of the compensation to victims of crime fund

under Article 56.34, Code of Criminal Procedure. Section 6 of the original bill is deleted in the substitute.