
SENATE BILL 6412

State of Washington 57th Legislature

2002 Regular Session

By Senators Kohl-Welles, Costa, Prentice, Winsley, Long, Keiser and Benton

Read first time 01/16/2002. Referred to Committee on Labor, Commerce & Financial Institutions.

1 AN ACT Relating to international matchmaking organizations;
2 amending RCW 43.43.760; and adding a new chapter to Title 19 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature intends to provide increased
5 consumer awareness on the part of persons living abroad regarding
6 Washington residents who utilize international matchmaking services for
7 purposes of establishing relationships with those living aboard. The
8 legislature recognizes that persons living abroad, unlike residents of
9 the United States, are very likely to lack the capacity to fully verify
10 personal history information about prospective spouses. The
11 legislature does not intend to impede the ability of any person to
12 establish a marital or romantic relationship, but rather to increase
13 the ability of persons living abroad to make informed decisions about
14 Washington residents.

15 The legislature does not intend to adversely impact in any way
16 those businesses who offer international matchmaking services on a not
17 for fee basis.

1 NEW SECTION. **Sec. 2.** (1) Each international matchmaking
2 organization doing business in Washington state shall disseminate to a
3 recruit, upon recruitment, state and federal background check
4 information and marital status information relating to any Washington
5 state resident about whom any information is provided to the recruit,
6 in the recruit's native language.

7 (2) Each Washington resident before receiving any services from an
8 international matchmaking organization shall obtain from the state
9 patrol and provide to the organization the complete transcript of any
10 background check information provided pursuant to RCW 43.43.760 based
11 on a submission of fingerprint impressions and provided pursuant to RCW
12 43.43.838 and shall provide to the organization information concerning
13 the person's current marital status.

14 (3) This section does not apply to a traditional matchmaking
15 organization of a religious nature that otherwise operates in
16 compliance with the laws of the countries of the recruits of such
17 organization and the laws of the United States nor to any organization
18 that does not charge a fee to any party for the service provided.

19 (4) As used in this section:

20 (a) "International matchmaking organization" means a corporation,
21 partnership, business, or other legal entity, whether or not organized
22 under the laws of the United States or any state, that does business in
23 the United States and for profit offers to Washington state residents,
24 including aliens lawfully admitted for permanent residence and residing
25 in Washington state, dating, matrimonial, or social referral services
26 involving citizens of a foreign country or countries who are not
27 residing in the United States, by: (i) An exchange of names, telephone
28 numbers, addresses, or statistics; (ii) selection of photographs; or
29 (iii) a social environment provided by the organization in a country
30 other than the United States.

31 (b) "Recruit" means a noncitizen, nonresident person, recruited by
32 an international matchmaking organization for the purpose of providing
33 dating, matrimonial, or social referral services.

34 NEW SECTION. **Sec. 3.** The legislature finds that the practices
35 covered by this chapter are matters vitally affecting the public
36 interest for the purpose of applying the consumer protection act,
37 chapter 19.86 RCW. A violation of this chapter is not reasonable in
38 relation to the development and preservation of business and is an

1 unfair or deceptive act in trade or commerce and an unfair method of
2 competition for the purpose of applying the consumer protection act,
3 chapter 19.86 RCW.

4 **Sec. 4.** RCW 43.43.760 and 2001 c 217 s 3 are each amended to read
5 as follows:

6 (1) Whenever a resident of this state appears before any law
7 enforcement agency and requests an impression of his or her
8 fingerprints to be made, such agency may comply with his or her request
9 and make the required copies of the impressions on forms marked
10 "Personal Identification". The required copies shall be forwarded to
11 the section and marked "for personal identification only".

12 The section shall accept and file such fingerprints submitted
13 voluntarily by such resident, for the purpose of securing a more
14 certain and easy identification in case of death, injury, loss of
15 memory, or other similar circumstances. Upon the request of such
16 person, the section shall return his or her identification data.

17 (2) Whenever a person claiming to be a victim of identity theft
18 appears before any law enforcement agency and requests an impression of
19 his or her fingerprints to be made, such agency may comply with this
20 request and make the required copies of the impressions on forms marked
21 "Personal Identification." The required copies shall be forwarded to
22 the section and marked "for personal identification only."

23 The section shall accept and file such fingerprints submitted by
24 such resident, for the purpose of securing a more certain and easy
25 identification in cases of identity theft. The section shall provide
26 a statement showing that the victim's impression of fingerprints has
27 been accepted and filed with the section.

28 The statement provided to the victim shall state clearly in twelve-
29 point print:

30 "The person holding this statement has claimed to be a victim of
31 identity theft. Pursuant to chapter 9.35 RCW, a business is required
32 by law to provide this victim with copies of all relevant application
33 and transaction information related to the transaction being alleged as
34 a potential or actual identity theft. A business must provide this
35 information once the victim makes a request in writing, shows this
36 statement, any government issued photo identification card, and a copy
37 of a police report."

1 Upon the request of such person, the section shall return his or
2 her identification data.

3 (3) Whenever any person is an applicant for appointment to any
4 position or is an applicant for employment or is an applicant for a
5 license to be issued by any governmental agency, and the law or a
6 regulation of such governmental agency requires that the applicant be
7 of good moral character or not have been convicted of a crime, or is an
8 applicant for appointment to or employment with a criminal justice
9 agency, or the department, or is an applicant for the services of an
10 international matchmaking organization, the applicant may request any
11 law enforcement agency to make an impression of his or her fingerprints
12 to be submitted to the section. The law enforcement agency may comply
13 with such request and make copies of the impressions on forms marked
14 "applicant", and submit such copies to the section.

15 The section shall accept such fingerprints and shall cause its
16 files to be examined and shall promptly send to the appointing
17 authority, employer, ((~~or~~)) licensing authority, or international
18 matchmaking organization indicated on the form of application, a
19 transcript of the record of previous crimes committed by the person
20 described on the data submitted, or a transcript of the dependency
21 record information regarding the person described on the data
22 submitted, or if there is no record of his or her commission of any
23 crimes, or if there is no dependency record information, a statement to
24 that effect.

25 (4) The Washington state patrol shall charge fees for processing of
26 noncriminal justice system requests for criminal history record
27 information pursuant to this section which will cover, as nearly as
28 practicable, the direct and indirect costs to the patrol of processing
29 such requests.

30 Any law enforcement agency may charge a fee not to exceed five
31 dollars for the purpose of taking fingerprint impressions or searching
32 its files of identification for noncriminal purposes.

33 NEW SECTION. Sec. 5. Sections 1 through 3 of this act constitute
34 a new chapter in Title 19 RCW.

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