

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6412**

Chapter 115, Laws of 2002

57th Legislature  
2002 Regular Session

INTERNATIONAL MATCHMAKING ORGANIZATIONS

EFFECTIVE DATE: 9/1/02

Passed by the Senate March 11, 2002  
YEAS 43 NAYS 2

BRAD OWEN  
**President of the Senate**

Passed by the House March 6, 2002  
YEAS 93 NAYS 0

FRANK CHOPP  
**Speaker of the  
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6412** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

Approved March 26, 2002

FILED

March 26, 2002 - 8:49 a.m.

GARY LOCKE  
**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 6412**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

**State of Washington                      57th Legislature                      2002 Regular Session**

**By** Senate Committee on Labor, Commerce & Financial Institutions  
(originally sponsored by Senators Kohl-Welles, Costa, Prentice,  
Winsley, Long, Keiser and Benton)

READ FIRST TIME 02/06/2002.

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

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

5            NEW SECTION. **Sec. 1.** The legislature intends to provide increased  
6 consumer awareness on the part of persons living abroad regarding  
7 Washington residents who utilize international matchmaking services for  
8 purposes of establishing relationships with those living abroad. The  
9 legislature recognizes that persons living abroad are already required  
10 to provide background information to the federal government during visa  
11 applications, but, unlike residents of the United States, are unlikely  
12 to have the means to access and fully verify personal history  
13 information about prospective spouses residing in the United States.  
14 The legislature does not intend to impede the ability of any person to  
15 establish a marital or romantic relationship, but rather to increase  
16 the ability of persons living abroad to make informed decisions about  
17 Washington residents.

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

4 NEW SECTION. **Sec. 2.** (1) Each international matchmaking  
5 organization doing business in Washington state shall disseminate to a  
6 recruit, upon request, state background check information and marital  
7 history information relating to any Washington state resident about  
8 whom any information is provided to the recruit, in the recruit's  
9 native language. The organization shall notify all recruits that  
10 background check and marital history information is available upon  
11 request. The notice that background check and marital history  
12 information is available upon request shall be in the recruit's native  
13 language and shall be displayed in a manner that separates it from  
14 other information, is highly noticeable, and in lettering not less than  
15 one-quarter of an inch high.

16 (2) If an international matchmaking organization receives a request  
17 for information from a recruit pursuant to subsection (1) of this  
18 section, the organization shall notify the Washington state resident of  
19 the request. Upon receiving notification, the Washington state  
20 resident shall obtain from the state patrol and provide to the  
21 organization the complete transcript of any background check  
22 information provided pursuant to RCW 43.43.760 based on a submission of  
23 fingerprint impressions and provided pursuant to RCW 43.43.838 and  
24 shall provide to the organization his or her marital history  
25 information. The organization shall require the resident to affirm  
26 that marital history information is complete and accurate, and includes  
27 any information regarding marriages, annulments, and dissolutions which  
28 occurred in other states or countries. The organization shall refrain  
29 from knowingly providing any further services to the recruit or the  
30 Washington state resident in regards to facilitating future interaction  
31 between the recruit and the Washington state resident until the  
32 organization has obtained the requested information and provided it to  
33 the recruit.

34 (3) This section does not apply to a traditional matchmaking  
35 organization of a religious nature that otherwise operates in  
36 compliance with the laws of the countries of the recruits of such  
37 organization and the laws of the United States nor to any organization  
38 that does not charge a fee to any party for the service provided.

1 (4) As used in this section:

2 (a) "International matchmaking organization" means a corporation,  
3 partnership, business, or other legal entity, whether or not organized  
4 under the laws of the United States or any state, that does business in  
5 the United States and for profit offers to Washington state residents,  
6 including aliens lawfully admitted for permanent residence and residing  
7 in Washington state, dating, matrimonial, or social referral services  
8 involving citizens of a foreign country or countries who are not  
9 residing in the United States, by: (i) An exchange of names, telephone  
10 numbers, addresses, or statistics; (ii) selection of photographs; or  
11 (iii) a social environment provided by the organization in a country  
12 other than the United States.

13 (b) "Marital history information" means a declaration of the  
14 person's current marital status, the number of times the person has  
15 previously been married, and whether any previous marriages occurred as  
16 a result of receiving services from an international matchmaking  
17 organization.

18 (c) "Recruit" means a noncitizen, nonresident person, recruited by  
19 an international matchmaking organization for the purpose of providing  
20 dating, matrimonial, or social referral services.

21 NEW SECTION. **Sec. 3.** For purposes of establishing personal  
22 jurisdiction under this act, an international matchmaking organization  
23 is deemed to be doing business in Washington and therefore subject to  
24 specific jurisdiction if it contracts for matchmaking services with a  
25 Washington resident or if it is considered to be doing business under  
26 any other provision or rule of law.

27 NEW SECTION. **Sec. 4.** The legislature finds that the practices  
28 covered by this chapter are matters vitally affecting the public  
29 interest for the purpose of applying the consumer protection act,  
30 chapter 19.86 RCW. A violation of this chapter is not reasonable in  
31 relation to the development and preservation of business and is an  
32 unfair or deceptive act in trade or commerce and an unfair method of  
33 competition for the purpose of applying the consumer protection act,  
34 chapter 19.86 RCW.

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

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

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

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

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

23 The statement provided to the victim shall state clearly in twelve-  
24 point print:

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

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

35 (3) Whenever any person is an applicant for appointment to any  
36 position or is an applicant for employment or is an applicant for a  
37 license to be issued by any governmental agency, and the law or a  
38 regulation of such governmental agency requires that the applicant be

1 of good moral character or not have been convicted of a crime, or is an  
2 applicant for appointment to or employment with a criminal justice  
3 agency, or the department, or is an applicant for the services of an  
4 international matchmaking organization, the applicant may request any  
5 law enforcement agency to make an impression of his or her fingerprints  
6 to be submitted to the section. The law enforcement agency may comply  
7 with such request and make copies of the impressions on forms marked  
8 "applicant", and submit such copies to the section.

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

19 (4) The Washington state patrol shall charge fees for processing of  
20 noncriminal justice system requests for criminal history record  
21 information pursuant to this section which will cover, as nearly as  
22 practicable, the direct and indirect costs to the patrol of processing  
23 such requests.

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

27 NEW SECTION. Sec. 6. Sections 1 through 4 of this act constitute  
28 a new chapter in Title 19 RCW.

29 NEW SECTION. Sec. 7. This act takes effect September 1, 2002.

Passed the Senate March 11, 2002.

Passed the House March 6, 2002.

Approved by the Governor March 26, 2002.

Filed in Office of Secretary of State March 26, 2002.