

HOUSE RESEARCH

Bill Summary

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Subject: International Marriage Brokers

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Overview

The bill regulates international marriage brokers by requiring them to provide certain information to foreign nationals they recruit for clients in this state.

Section

1 International Marriage Brokers

Subd. 1. Definitions. "Basic rights information" means information about human rights, immigration, and domestic violence laws.

"Client" is a resident of this state who wants to meet a dating or marriage partner from another country.

"Criminal history information" is a background check on the client by the Bureau of Criminal Apprehension (BCA), including a search of the National Criminal Records Repository using the client's fingerprints.

"International marriage broker" is a business that for a fee introduces state residents to individuals from foreign countries, including by using the Internet or bringing parties together in another country.

"Marital history information" is a signed statement under penalties of perjury by a person of the person's marital status, the number of times married, how any previous marriage ended, and whether the person previously sponsored a foreign national to whom the person was engaged or married.

Section

"Recruit" is a person who is not a U.S. citizen or resident and is recruited by an international marriage broker for marriage or dating purposes.

Subd. 2. Preparation of basic rights information. Requires the commissioner of public safety to prepare basic rights information in consultation with specified state and private entities.

Subd. 3. Release of recruit contact information. Requires a broker to get a recruit's consent before releasing contact information.

Subd. 4. Information required. Before a broker may accept a client application, requires the broker to obtain the basic rights information and a criminal history and marital history on the client. The criminal history must be obtained directly from the BCA.

Subd. 5. Information provided to recruit. Before providing any other services to a client or recruit, the broker must give the recruit the information gathered under subdivision 4 in the recruit's native language. This information must be separated out from other information the broker may provide to the recruit.

Subd. 6. Out of state business entity. Requires an out-of-state business to file appropriate documents with the Secretary of State before doing business here.

Subd. 7. Retention of records. A broker must keep records showing compliance with this section and make them available to the attorney general or the county attorney where the client lives, upon request.

Subd. 8. Jurisdiction. Specifies that a broker is doing business in this state if it contracts for services with a state resident or is considered to be doing business in the state under any other law of the state.

Subd. 9. Enforcement. Each violation is subject to a civil penalty of up to \$20,000. Authorizes the attorney general or the county attorney to bring an action in the district court. Requires penalties under this section to be distributed like proceeds of forfeiture.

Effective date. August 1, 2006, except subdivision 2 is effective immediately.