
SUBSTITUTE SENATE BILL 5157

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Regala, Carrell, Kline, Roach, Zarelli, Kastama, Oke, Franklin, Brandland, McCaslin and Shin)

READ FIRST TIME 02/28/05.

1 AN ACT Relating to local law enforcement automatic fingerprint
2 identification systems; amending RCW 43.43.570; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that new advances
6 in technology and the development of industry standards now allow law
7 enforcement agencies with different automatic fingerprint
8 identification system manufacturers to be interoperable. Furthermore,
9 the legislature recognizes that requiring all law enforcement agencies
10 to purchase or lease automatic fingerprint identification system
11 equipment from the same vendor utilized by the Washington state patrol
12 creates a noncompetitive environment, which prevents local law
13 enforcement agencies from negotiating lower prices. It is therefore
14 the intent of this legislation to allow local law enforcement agencies
15 to purchase or lease any automatic fingerprint identification system,
16 provided that the system complies with national industry standards for
17 interoperability as developed by the national institute of standards
18 and technology.

1 **Sec. 2.** RCW 43.43.570 and 1987 c 450 s 1 are each amended to read
2 as follows:

3 (1) No local law enforcement agency may establish or operate an
4 automatic fingerprint identification system unless(~~(+~~
5 ~~(a))~~) both the hardware and software of the local system ((are))
6 use an interface compatible with the state system under RCW
7 43.43.560(~~(+and~~

8 ~~(b) The local system is equipped to receive and answer inquiries~~
9 ~~from the Washington state patrol automatic fingerprint identification~~
10 ~~system and transmit data to the Washington state patrol automatic~~
11 ~~fingerprint identification system)).~~ The local law enforcement agency
12 shall be able to transmit a tenprint record to the state system through
13 any available protocol which meets accepted industry standards, and the
14 state system must be able to accept tenprint records which comply with
15 those requirements. When industry transmission protocols change, the
16 Washington state patrol shall incorporate these new standards as
17 funding and reasonable system engineering practices permit. The
18 tenprint transmission from any local law enforcement agency must be in
19 accordance with the current version of the state electronic fingerprint
20 transmission specification.

21 (2) No later than January 1, 2007, the Washington state patrol's
22 automatic fingerprint identification system shall be capable of
23 instantly accepting electronic latent search records from any
24 Washington state local law enforcement agency. If specific funding for
25 the purposes of this subsection is not provided by June 30, 2006, in
26 the omnibus appropriations act, or if funding is not obtained from
27 another source by June 30, 2006, this subsection is null and void.

28 (3) A local law enforcement agency operating an automatic
29 fingerprint identification system shall transmit data on fingerprint
30 entries to the Washington state patrol electronically (~~(by computer)~~).
31 This requirement shall be in addition to those under RCW 10.98.050 and
32 43.43.740.

33 (~~(3) Counties or local agencies that purchased or signed a~~
34 ~~contract to purchase an automatic fingerprint identification system~~
35 ~~prior to January 1, 1987, are exempt from the requirements of this~~
36 ~~section. The Washington state patrol shall charge fees for processing~~
37 ~~latent fingerprints submitted to the patrol by counties or local~~

1 ~~jurisdictions exempted from the requirements of this section. The fees~~
2 ~~shall cover, as nearly as practicable, the direct and indirect costs to~~
3 ~~the patrol of processing such fingerprints.)~~)

4 (4) Any personnel functions necessary to prepare fingerprints for
5 searches under this section shall be the responsibility of the
6 submitting agency.

7 (5) The Washington state patrol shall adopt rules to implement this
8 section.

--- END ---