

SENATE BILL REPORT

HB 1965

As Reported by Senate Committee On:
Law & Justice, March 22, 2017

Title: An act relating to standardizing the collection and distribution of criminal records.

Brief Description: Standardizing the collection and distribution of criminal records.

Sponsors: Representatives Lovick and Irwin; by request of Washington State Patrol.

Brief History: Passed House: 2/28/17, 98-0.

Committee Activity: Law & Justice: 3/09/17, 3/22/17 [DPA].

Brief Summary of Amended Bill

- Addresses fingerprinting and palm printing requirements in the context of firearms license applications and sex offender and kidnapping offender registration.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel, Darneille, Frock and Wilson.

Staff: Shani Bauer (786-7468)

Background: Firearms Licenses. In order for a person to lawfully carry a concealed pistol, the person must have a valid concealed pistol license (CPL) issued by a local law enforcement agency. In order to obtain a CPL, a person must apply with the local law enforcement agency, meet certain eligibility requirements, and undergo a fingerprint-based background check to determine whether the applicant is eligible to possess firearms. The license application must include two complete sets of the applicant's fingerprints.

It is unlawful for a person who is a nonimmigrant alien to possess a firearm in the state unless the person has an alien firearm license. A nonimmigrant alien residing in Washington may apply for an alien firearm license with the local sheriff's office in the county where the applicant resides. The sheriff may issue an alien firearm license to the applicant for the

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purpose of hunting or sport shooting after conducting a fingerprint-based background check and determining that the applicant is not ineligible to possess firearms and meets other eligibility requirements. The application for an alien firearm license must include not more than two complete sets of the applicant's fingerprints.

Sex Offender and Kidnapping Offender Registration. Any adult or juvenile who is convicted of a sex or kidnapping offense must register with the county sheriff in the county of the person's residence. A person who is required to register must provide specified information, including the person's photograph, and fingerprints. A photograph or copy of the person's fingerprints may be taken at any time to update a person's registration file.

Fingerprinting of Arrested Persons. Law enforcement agencies are required to collect the photograph and fingerprints of all adults and juveniles lawfully arrested for the commission of a felony or gross misdemeanor offense. Law enforcement agencies may, but are not required to, collect the photograph and fingerprints of all adults lawfully arrested. Law enforcement agencies may also record an arrested person's palm prints, soleprints, toe prints, or other identification data if, in the discretion of the agency, it is necessary for the proper identification of the arrested person or the investigation of the crime with which the person is charged.

Summary of Amended Bill: License applications for concealed pistol licenses and alien firearm licenses require only one set of fingerprints.

A copy of the palm prints of a person required to register based on a sex offense or kidnapping offense may be taken at any time to update the individual's registration file.

EFFECT OF LAW & JUSTICE COMMITTEE AMENDMENT(S):

- Removes provisions authorizing law enforcement to collect the palm prints of lawfully arrested adults as this authority already exists in statute.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This is a cleanup bill to recognize changes in technology and make sure we have the authority to collect palm prints. Two sets of fingerprints are no longer needed. We have determined that we do not need section four and would ask that this section of the bill be removed.

Persons Testifying: PRO: Monica Alexander, Washington State Patrol.

Persons Signed In To Testify But Not Testifying: None.