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**SENATE BILL 5223**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Wagoner, Holy, and Nobles; by request of Washington State Patrol

Prefiled 01/10/25. Read first time 01/13/25. Referred to Committee on Law & Justice.

1 AN ACT Relating to criminal offense fingerprinting; and amending  
2 RCW 10.98.050 and 43.43.735.

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

4 **Sec. 1.** RCW 10.98.050 and 1999 c 49 s 2 are each amended to read  
5 as follows:

6 (1) It is the duty of the chief law enforcement officer or the  
7 local director of corrections to transmit within seventy-two hours  
8 from the time of arrest to the section fingerprints together with  
9 other identifying data as may be prescribed by the section, and  
10 statutory violations of any person lawfully arrested, fingerprinted,  
11 and photographed under RCW 43.43.735. The disposition report shall be  
12 transmitted to the prosecuting attorney, county clerk, or appropriate  
13 court of limited jurisdiction, whichever is responsible for  
14 transmitting the report to the section under RCW 10.98.010.

15 (2) At the preliminary hearing or the arraignment of a felony  
16 case, the judge shall ensure that the felony defendants have been  
17 fingerprinted and an arrest and fingerprint form transmitted to the  
18 section. In cases where fingerprints have not been taken, the judge  
19 shall order the chief law enforcement officer of the jurisdiction or  
20 the local director of corrections, or, in the case of a juvenile, the  
21 juvenile court administrator to initiate an arrest and fingerprint

1 form and transmit it to the section. The disposition report shall be  
2 transmitted to the prosecuting attorney.

3 (3) At the preliminary hearing or the arraignment of a gross  
4 misdemeanor case, the judge may ensure that the defendants have been  
5 fingerprinted and an arrest and fingerprint form transmitted to the  
6 section. In cases where fingerprints have not been taken, the judge  
7 may order the chief law enforcement officer of the jurisdiction or  
8 the local director of corrections to initiate an arrest and  
9 fingerprint form and transmit it to the section. The disposition  
10 report shall be transmitted to the prosecuting attorney or court of  
11 jurisdiction.

12 **Sec. 2.** RCW 43.43.735 and 2009 c 549 s 5130 are each amended to  
13 read as follows:

14 (1) It shall be the duty of the sheriff or director of public  
15 safety of every county, and the chief of police of every city or  
16 town, and of every chief officer of other law enforcement agencies  
17 duly operating within this state, to cause the photographing and  
18 fingerprinting of all adults and juveniles lawfully arrested for the  
19 commission of any criminal offense constituting a felony or gross  
20 misdemeanor. (a) When such juveniles are brought directly to a  
21 juvenile detention facility, the juvenile court administrator is also  
22 authorized, but not required, to cause the photographing,  
23 fingerprinting, and record transmittal to the appropriate law  
24 enforcement agency; and (b) a further exception may be made when the  
25 arrest is for a violation punishable as a gross misdemeanor and the  
26 arrested person is not taken into custody.

27 (2) It shall be the right, but not the duty, of the sheriff or  
28 director of public safety of every county, and the chief of police of  
29 every city or town, and every chief officer of other law enforcement  
30 agencies operating within this state to photograph and record the  
31 fingerprints of all adults lawfully arrested, cited and released, or  
32 issued a summons to appear in court on a criminal charge(s).

33 (3) Such sheriffs, directors of public safety, chiefs of police,  
34 and other chief law enforcement officers, may record, in addition to  
35 photographs and fingerprints, the palmprints, soleprints, toeprints,  
36 or any other identification data of all persons whose photograph and  
37 fingerprints are required or allowed to be taken under this section  
38 when in the discretion of such law enforcement officers it is

1 necessary for proper identification of the arrested person or the  
2 investigation of the crime with which he or she is charged.

--- **END** ---