**5609 AMS FORT S4508.1 - NOT FOR FLOOR USE**

**SB 5609** - S AMD **1041**

By Senator Fortunato

**NOT ADOPTED 02/09/2022**

Beginning on page 1, line 4, strike all of section 1 and insert the following:

**"Sec.**  RCW 10.64.110 and 2021 c 311 s 20 are each amended to read as follows:

(1) Following June 15, 1977, except as provided in subsection (3) of this section, there shall be affixed to the original of every judgment and sentence of a felony conviction in every court in this state and every order adjudicating a juvenile to be a delinquent based upon conduct which would be a felony if committed by an adult, a fingerprint of the defendant or juvenile who is the subject of the order. When requested by the clerk of the court, the actual affixing of fingerprints shall be done by a representative of the office of the county sheriff or the Washington state patrol. For juvenile cases, fingerprints may not be taken by a court clerk or other juvenile court staff unless the person taking the fingerprints is certified or trained in fingerprinting techniques that ensure usability and efficacy for later use.

(2) The clerk of the court shall attest that the fingerprints appearing on the judgment in sentence, order of adjudication of delinquency, or docket, is that of the individual who is the subject of the judgment or conviction, order, or docket entry.

(3) Amended judgment and sentences issued pursuant to *State v. Blake*, No. 96873-0 (Feb. 25, 2021), are exempt from the fingerprinting requirements in subsection (1) of this section when there are no additional offenses of conviction from the original judgment and sentence and the defendant is in custody in a correctional facility. In such cases, the amended judgment and sentence shall reference the original judgment and sentence and the fingerprints affixed thereto."

EFFECT: Retains the fingerprinting requirement, but requires the court staff taking the fingerprint to be certified or trained in fingerprinting techniques that aim to ensure future usability and efficacy. Allows juvenile courts to use the Washington State Patrol in addition to the local sheriff.