

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 93

An Act to amend and reenact § 19.2-392 of the Code of Virginia, relating to fingerprints and photographs by police authorities.

[H 1048]

Approved March 3, 2020

Be it enacted by the General Assembly of Virginia:

1. That § 19.2-392 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-392. Fingerprints and photographs by police authorities.

A. All duly constituted police authorities having the power of arrest may take the fingerprints and photographs of: (i) any person arrested by them and charged with a felony or a misdemeanor an arrest for which is to be reported by them to the Central Criminal Records Exchange, (ii) any person who pleads guilty or is found guilty after being summoned in accordance with § 19.2-74, ~~or~~ (iii) any person charged with an offense that has been deferred by the court pursuant to §§ 18.2-57.3, 18.2-251, or 19.2-303.2, *or* (iv) *upon the order of a court, any person found in contempt or in violation of the terms or conditions of a suspended sentence or probation for a felony offense pursuant to § 18.2-456, 19.2-306, or 53.1-165.* Such authorities shall make such records available to the Central Criminal Records Exchange. Such authorities are authorized to provide, on the request of duly appointed law-enforcement officers, copies of any fingerprint records they may have, and to furnish services and technical advice in connection with the taking, classifying and preserving of fingerprints and fingerprint records.

B. Such police authorities may establish and collect a reasonable fee not to exceed \$10 for the first card and \$5 for each successive card for the taking of fingerprints when voluntarily requested by any person for purposes other than criminal violations.