

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 16.1-299 of the Code of Virginia, relating to fingerprints, palm prints, and*  
3 *photographs of juveniles.*

4 [H 2472]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 16.1-299 of the Code of Virginia is amended and reenacted as follows:**8 **§ 16.1-299. Fingerprints, palm prints, and photographs of juveniles.**

9 A. All duly constituted police authorities having the power of arrest shall ~~take~~ *obtain, electronically when*  
10 *possible, fingerprints, palm prints with accompanying distal prints, if available, and photographs of any*  
11 *juvenile who is taken into custody and charged with a delinquent act an arrest for which, if committed by an*  
12 *adult, is required to be reported to the Central Criminal Records Exchange pursuant to subsection A of §*  
13 *19.2-390. Whenever fingerprints, palm prints, or photographs are taken, they shall be maintained separately*  
14 *from adult records and a copy containing the document control number (DCN) shall be filed with the juvenile*  
15 *court on forms provided by the Central Criminal Records Exchange and a copy shall be submitted,*  
16 *electronically when possible, to the State Police who shall maintain all records received under this section in*  
17 *a confidential and secure area within the system in which the record is maintained that is inaccessible from*  
18 *routine use. Such records shall only be accessible by the manager of the records or his designee.*

19 B. If a juvenile of any age (i) is convicted of a felony, (ii) is adjudicated delinquent of an offense that  
20 would be a felony if committed by an adult, (iii) has a case involving an offense, which would be a felony if  
21 committed by an adult, that is dismissed pursuant to the deferred disposition provisions of § 16.1-278.8, or  
22 (iv) is convicted or adjudicated delinquent of any other offense for which a report to the Central Criminal  
23 Records Exchange is required by subsection C of § 19.2-390 if the offense were committed by an adult,  
24 ~~copies of his fingerprints and~~ a report of the disposition shall be forwarded to the Central Criminal  
25 Records Exchange *electronically* and to the jurisdiction making the arrest by the clerk of the court  
26 ~~which that~~ heard the case.

27 C. If a petition or warrant is not filed against a juvenile whose fingerprints, *palm prints*, or photographs  
28 have been taken in connection with an alleged violation of law, the fingerprint card, all copies of the  
29 fingerprints, *all copies of the palm prints*, and all photographs shall be destroyed 60 days after fingerprints  
30 were taken. *The police authority, as identified by its originating agency identification (ORI), that obtained*  
31 *the fingerprints, palm prints, or photographs of the juvenile shall notify, electronically when possible, the*  
32 *State Police to destroy the records. The State Police shall destroy such records as soon as possible after*  
33 *receiving the notification. If a juvenile charged with a delinquent act other than a violent juvenile felony or a*  
34 *crime ancillary thereto is found not guilty, or in any other case resulting in a disposition for which*  
35 *fingerprints are not required to be forwarded to the Central Criminal Records Exchange, the court shall order*  
36 *that the fingerprint card, all copies of the fingerprints, all copies of the palm prints, and all photographs be*  
37 *destroyed within six months of the date of disposition of the case and shall notify the Central Criminal*  
38 *Records Exchange.*

39 **2. That the provisions of § 16.1-299 of the Code of Virginia, as amended by this act, shall become**  
40 **effective on July 1, 2026.**

ENROLLED

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