

CHAPTER 1035

CRIMINAL IDENTIFICATION, HISTORY, AND INTELLIGENCE DATA — FINGERPRINTS AND PALM PRINTS — PROCEDURES REVIEW AND REPORTING REQUIREMENTS

H.F. 2315

AN ACT relating to criminal identification and criminal history and intelligence data, including fingerprints and palm prints.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 690.2](#), Code 2024, is amended to read as follows:

690.2 Fingerprints and palm prints — photographs — duty of sheriff and chief of police.

1. The sheriff of every county, and the chief of police of each city, regardless of the form of government thereof, shall take the fingerprints of all unidentified dead bodies in their respective jurisdictions and of all persons who are taken into custody, or who have been issued a citation in lieu of continued custody, for the commission of a serious misdemeanor, an aggravated misdemeanor, or a felony and shall forward such fingerprint records, on such forms and in such manner as may be prescribed by the commissioner of public safety, within to the department of public safety as follows:

a. Within two working days after the fingerprint records are taken, to the department of public safety an unidentified dead body is fingerprinted or a person is taken into custody.

b. Within two working days after the initial court appearance for a person issued a citation in lieu of continued custody.

2. Fingerprints may be taken of a person who has been arrested taken into custody or issued a citation in lieu of continued custody for a simple misdemeanor subject to an enhanced penalty for conviction of a second or subsequent offense. Fingerprints taken pursuant to [this subsection](#) shall be forwarded to the department of public safety within the time limits established in [subsection 1](#). In addition to the fingerprints as herein provided, ~~any such officer may also take the photograph and palm prints~~ the sheriff or chief of police shall also take the palm prints and may take the photograph of any such person and forward ~~them~~ any such palm prints and photographs to the department of public safety within the time limits established in [subsection 1](#).

3. If a defendant is convicted by a court of this state of an offense ~~which~~ that is a simple misdemeanor subject to an enhanced penalty for conviction of a second or subsequent offense, a serious misdemeanor, an aggravated misdemeanor, or a felony, the court shall determine whether such defendant has previously been fingerprinted in connection with the criminal proceedings leading to the conviction and, if not, shall order that the defendant be fingerprinted and those prints submitted to the department of public safety.

4. The court shall also order that a juvenile adjudicated delinquent for an offense ~~which~~ that would be an offense other than a simple misdemeanor if committed by an adult, be fingerprinted and the prints submitted to the department of public safety if the juvenile has not previously been fingerprinted in connection with juvenile proceedings. ~~The taking of fingerprints for a serious misdemeanor offense under [chapter 321](#) or [321A](#) is not required under [this section](#).~~

Sec. 2. [Section 690.5, subsection 1](#), Code 2024, is amended to read as follows:

1. An agency subject to fingerprinting and disposition requirements under [this chapter](#) and [chapter 692](#) shall take all steps necessary to ensure that all agency officials and employees understand the requirements and shall provide for and impose administrative sanctions, as appropriate, for failure to report as required.

Sec. 3. [Section 692.13](#), Code 2024, is amended to read as follows:

692.13 Review.

The department shall initiate periodic review procedures designed to determine compliance with the provisions of [this chapter](#) and [chapter 690](#) within the department and by criminal or juvenile justice agencies and to determine that data furnished to ~~them~~ those agencies is factual and accurate.

Sec. 4. [Section 692.15, subsection 3](#), Code 2024, is amended to read as follows:

3. The law enforcement agency making an arrest and securing fingerprints pursuant to [section 690.2](#) or taking a juvenile into custody and securing fingerprints pursuant to [section 232.148](#) shall fill out a final disposition report on each arrest or taking into custody on a form and in the manner prescribed by the commissioner of public safety. The final disposition report shall be forwarded to the county attorney, or at the discretion of the county attorney, to the clerk of the district court, in the county where the arrest or taking into custody occurred, or to the juvenile court officer who received the referral, whichever is deemed appropriate under the circumstances, within two working days after fingerprints are taken.

Approved April 10, 2024