



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 04, 2020

TIME: 6:19 AM

WSR 20-22-106

Agency: Washington State Patrol

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: To provide another method of requesting copies of current procedures for collection of biological samples

Citation of rules affected by this order:

New:

Repealed:

Amended: 446-75-060

Suspended:

Statutory authority for adoption: RCW 43.43.759

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 20-18-019 on 8/25/2020 (date).

Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: 11/4/2020

Name: John R. Batiste

Title: Chief

Signature:



AMENDATORY SECTION (Amending WSR 14-17-108, filed 8/19/14, effective 9/19/14)

WAC 446-75-060 Collection of biological sample for the DNA identification system—Procedures—Time frame. (1) The collection, preservation, and shipment of biological samples obtained from convicted offenders pursuant to RCW 43.43.754 for the patrol's DNA identification system must be in conformance with protocols established by the patrol. Copies of the current protocol may be obtained from the Washington State Patrol (~~Crime Laboratory Division,~~) CODIS Laboratory by emailing the request to confel@wsp.wa.gov or at 2203 Airport Way S., Suite 250, Seattle, WA 98134.

(2) The DNA profile resulting from the convicted offender's biological sample will be entered into the patrol's DNA identification system. The patrol will retain the convicted offender's DNA record in its DNA identification system until expungement pursuant to WAC 446-75-070 or the patrol determines that the DNA record no longer qualifies to be retained in the DNA identification system.