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**SUBSTITUTE SENATE BILL 6244**

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**State of Washington**

**56th Legislature**

**2000 Regular Session**

**By** Senate Committee on Human Services & Corrections (originally sponsored by Senators Costa, McCaslin, Kline, Long, Prentice, Zarelli, Fairley, Gardner, Thibaudeau, Heavey, Goings, Kohl-Welles, McAuliffe and Winsley)

Read first time 02/01/2000.

1 AN ACT Relating to the extension of juvenile court jurisdiction to  
2 enforce a penalty assessment; amending RCW 13.40.300; adding a new  
3 section to chapter 13.40 RCW; creating new sections; and declaring an  
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that when a juvenile  
7 is ordered to pay a penalty assessment as part of the disposition of  
8 his or her case, the juvenile should be held to that obligation past  
9 his or her eighteenth birthday if he or she has not yet paid the  
10 assessment by the time court jurisdiction ends. The intent of this act  
11 is to clarify the holding in *State v. Y.I.*, 94 Wn. App. 919 (1999),  
12 that juveniles be required to satisfy penalty assessments, and juvenile  
13 court jurisdiction is extended to accomplish this.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 13.40 RCW  
15 to read as follows:

16 If a respondent is ordered to pay a penalty assessment pursuant to  
17 a dispositional order entered under this chapter, he or she shall  
18 remain under the court's jurisdiction for a maximum term of ten years

1 after the respondent's eighteenth birthday. Prior to the expiration of  
2 the ten-year period, the juvenile court may extend the judgment for the  
3 payment of a penalty assessment for an additional ten years.

4 **Sec. 3.** RCW 13.40.300 and 1994 sp.s. c 7 s 530 are each amended to  
5 read as follows:

6 (1) In no case may a juvenile offender be committed by the juvenile  
7 court to the department of social and health services for placement in  
8 a juvenile correctional institution beyond the juvenile offender's  
9 twenty-first birthday. A juvenile may be under the jurisdiction of the  
10 juvenile court or the authority of the department of social and health  
11 services beyond the juvenile's eighteenth birthday only if prior to the  
12 juvenile's eighteenth birthday:

13 (a) Proceedings are pending seeking the adjudication of a juvenile  
14 offense and the court by written order setting forth its reasons  
15 extends jurisdiction of juvenile court over the juvenile beyond his or  
16 her eighteenth birthday;

17 (b) The juvenile has been found guilty after a fact finding or  
18 after a plea of guilty and an automatic extension is necessary to allow  
19 for the imposition of disposition; or

20 (c) Disposition has been held and an automatic extension is  
21 necessary to allow for the execution and enforcement of the court's  
22 order of disposition. If an order of disposition imposes commitment to  
23 the department, then jurisdiction is automatically extended to include  
24 a period of up to twelve months of parole, in no case extending beyond  
25 the offender's twenty-first birthday.

26 (2) If the juvenile court previously has extended jurisdiction  
27 beyond the juvenile offender's eighteenth birthday and that period of  
28 extension has not expired, the court may further extend jurisdiction by  
29 written order setting forth its reasons.

30 (3) In no event may the juvenile court have authority to extend  
31 jurisdiction over any juvenile offender beyond the juvenile offender's  
32 twenty-first birthday except for the purpose of enforcing an order of  
33 restitution or penalty assessment.

34 (4) Notwithstanding any extension of jurisdiction over a person  
35 pursuant to this section, the juvenile court has no jurisdiction over  
36 any offenses alleged to have been committed by a person eighteen years  
37 of age or older.

1        NEW SECTION.   **Sec. 4.**   This act applies retroactively to March 29,  
2   1999, the date on which the decision in *State v. Y.I.*, 94 Wn. App. 919  
3   (1999), was rendered.

4        NEW SECTION.   **Sec. 5.**   This act is necessary for the immediate  
5   preservation of the public peace, health, or safety, or support of the  
6   state government and its existing public institutions, and takes effect  
7   immediately.

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