
SENATE BILL 5970

State of Washington

57th Legislature

2001 Regular Session

By Senator Hargrove

Read first time 02/12/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to probation orders; and amending RCW 3.66.067,
2 3.66.068, and 35.20.255.

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

4 **Sec. 1.** RCW 3.66.067 and 1984 c 258 s 46 are each amended to read
5 as follows:

6 After a conviction, the court may defer sentencing the defendant
7 and place the defendant on probation for a period of no longer than two
8 years and prescribe the conditions thereof(~~(, but in no case shall it~~
9 ~~extend for more than two years from the date of conviction)). A~~
10 defendant who has been sentenced, and who then fails to appear for any
11 hearing to address the defendant's compliance with the terms of
12 probation, shall have the term of probation tolled until such time as
13 the defendant makes his or her presence known to the court on the
14 record. During the time of the deferral, the court may, for good cause
15 shown, permit a defendant to withdraw the plea of guilty and to enter
16 a plea of not guilty, and the court may dismiss the charges.

17 **Sec. 2.** RCW 3.66.068 and 1999 c 56 s 2 are each amended to read as
18 follows:

1 For a period not to exceed five years after imposition of sentence
2 for a defendant sentenced under RCW 46.61.5055 and two years after
3 imposition of sentence for all other offenses, the court has continuing
4 jurisdiction and authority to suspend the execution of all or any part
5 of its sentence upon stated terms, including installment payment of
6 fines. This period shall be tolled whenever a defendant who has been
7 sentenced fails to appear for any hearing to address the defendant's
8 compliance with the terms of the sentence until such time as the
9 defendant makes his or her presence known to the court on the record.
10 However, the jurisdiction period in this section does not apply to the
11 enforcement of orders issued under RCW 46.20.720.

12 **Sec. 3.** RCW 35.20.255 and 1999 c 56 s 3 are each amended to read
13 as follows:

14 Judges of the municipal court, in their discretion, shall have the
15 power in all criminal proceedings within their jurisdiction including
16 violations of city ordinances, to defer imposition of any sentence,
17 suspend all or part of any sentence, fix the terms of any such deferral
18 or suspension, and provide for such probation and parole as in their
19 opinion is reasonable and necessary under the circumstances of the
20 case, but in no case shall it extend for more than five years from the
21 date of conviction for a defendant to be sentenced under RCW 46.61.5055
22 and two years from the date of conviction for all other offenses. This
23 period shall be tolled whenever a defendant who has been sentenced
24 fails to appear for any hearing to address the defendant's compliance
25 with the terms of the sentence until such time as the defendant makes
26 his or her presence known to the court on the record. However, the
27 jurisdiction period in this section does not apply to the enforcement
28 of orders issued under RCW 46.20.720. Any time before entering an
29 order terminating probation, the court may modify or revoke its order
30 suspending the imposition or execution of the sentence.

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