
**Juvenile Justice & Family Law
Committee**

HB 2825

Brief Description: Revising provisions relating to deferred disposition of juveniles.

Sponsors: Representatives Lovick and McCoy.

Brief Summary of Bill

- Prohibits a deferred disposition for a juvenile who is charged with possessing a firearm at any public or private school.

Hearing Date: 1/24/06

Staff: Sonja Hallum (786-7092).

Background:

Deferred disposition is a juvenile disposition alternative. Under a deferred disposition sentence, the juvenile pleads guilty to the offense and the court continues the disposition of the case for up to one year. During the one year the case is continued, the juvenile is placed on community supervision and must comply with conditions ordered by the court, including the full payment of any restitution owing in the case.

If the juvenile fails to comply with the conditions of the community supervision, the court will revoke the deferred disposition and enter an order of disposition, imposing a sentence on the juvenile. If the juvenile complies with all conditions of community supervision for the period ordered by the court, the juvenile's adjudication will be vacated and the case will be dismissed. However, an adjudication for cruelty to animals in the first degree may not be vacated.

A juvenile is ineligible for deferred disposition if:

- the current charge is for a sex or violent offense;
- the juvenile has a criminal history of any felony;
- the juvenile has a prior deferred disposition or deferred adjudication; or
- the juvenile has two or more adjudications.

Summary of Bill:

A juvenile is ineligible for a deferred disposition if the juvenile is charged with the gross misdemeanor offense of possessing a dangerous weapon on school facilities by having possession

or control of a firearm at any public or private elementary or secondary school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.