

SHB 2906 - H AMD 630

By Representative Senn

WITHDRAWN 02/15/2016

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 13.40.010 and 2004 c 120 s 1 are each amended to
4 read as follows:

5 (1) This chapter shall be known and cited as the Juvenile Justice
6 Act of 1977.

7 (2) It is the intent of the legislature that a system capable of
8 having primary responsibility for, being accountable for, and
9 responding to the needs of youthful offenders and their victims, as
10 defined by this chapter, be established. It is the further intent of
11 the legislature that youth, in turn, be held accountable for their
12 offenses and that communities, families, and the juvenile courts
13 carry out their functions consistent with this intent. To effectuate
14 these policies, the legislature declares the following to be equally
15 important purposes of this chapter:

16 (a) Protect the citizenry from criminal behavior;

17 (b) Provide for determining whether accused juveniles have
18 committed offenses as defined by this chapter;

19 (c) Make the juvenile offender accountable for his or her
20 criminal behavior;

21 (d) Provide for punishment commensurate with the age, crime, and
22 criminal history of the juvenile offender;

23 (e) Provide due process for juveniles alleged to have committed
24 an offense;

25 (f) Provide for the rehabilitation and reintegration of juvenile
26 offenders;

27 (g) Provide necessary treatment, supervision, and custody for
28 juvenile offenders;

29 ((+g)) (h) Provide for the handling of juvenile offenders by
30 communities whenever consistent with public safety;

31 ((+h)) (i) Provide for restitution to victims of crime;

1 ((+i)) (j) Develop effective standards and goals for the
2 operation, funding, and evaluation of all components of the juvenile
3 justice system and related services at the state and local levels;

4 ((+j)) (k) Provide for a clear policy to determine what types of
5 offenders shall receive punishment, treatment, or both, and to
6 determine the jurisdictional limitations of the courts, institutions,
7 and community services;

8 ((+k)) (l) Provide opportunities for victim participation in
9 juvenile justice process, including court hearings on juvenile
10 offender matters, and ensure that Article I, section 35 of the
11 Washington state Constitution, the victim bill of rights, is fully
12 observed; and

13 ((+l)) (m) Encourage the parents, guardian, or custodian of the
14 juvenile to actively participate in the juvenile justice process.

15 **Sec. 2.** RCW 13.40.127 and 2015 c 265 s 26 are each amended to
16 read as follows:

17 (1) A juvenile is eligible for deferred disposition unless he or
18 she:

19 (a) Is charged with a sex or violent offense;

20 (b) Has a criminal history which includes any felony;

21 (c) Has a prior deferred disposition or deferred adjudication; or

22 (d) Has two or more adjudications.

23 (2) The juvenile court ((may)) shall, except as provided by
24 subsection (3) of this section, upon motion at least fourteen days
25 before commencement of trial and, after consulting the juvenile's
26 custodial parent or parents or guardian and with the consent of the
27 juvenile, continue the case for disposition for a period not to
28 exceed one year from the date the juvenile is found guilty. ((The
29 court shall consider whether the offender and the community will
30 benefit from a deferred disposition before deferring the
31 disposition.)) The court may waive the fourteen-day period anytime
32 before the commencement of trial for good cause.

33 (3) If a juvenile offender is charged with animal cruelty in the
34 first degree, the juvenile court may deny granting a deferred
35 disposition to the juvenile, even if the juvenile otherwise may
36 qualify for a deferred disposition. The judge shall consider whether
37 the community will benefit from granting a deferred disposition to
38 the juvenile offender.

39 (4) Any juvenile who agrees to a deferral of disposition shall:

1 (a) Stipulate to the admissibility of the facts contained in the
2 written police report;

3 (b) Acknowledge that the report will be entered and used to
4 support a finding of guilt and to impose a disposition if the
5 juvenile fails to comply with terms of supervision;

6 (c) Waive the following rights to: (i) A speedy disposition; and
7 (ii) call and confront witnesses; and

8 (d) Acknowledge the direct consequences of being found guilty and
9 the direct consequences that will happen if an order of disposition
10 is entered.

11 The adjudicatory hearing shall be limited to a reading of the
12 court's record.

13 ~~((4))~~ (5) Following the stipulation, acknowledgment, waiver,
14 and entry of a finding or plea of guilt, the court shall defer entry
15 of an order of disposition of the juvenile.

16 ~~((5))~~ (6) Any juvenile granted a deferral of disposition under
17 this section shall be placed under community supervision. The court
18 may impose any conditions of supervision that it deems appropriate
19 including posting a probation bond. Payment of restitution under RCW
20 13.40.190 shall be a condition of community supervision under this
21 section.

22 The court may require a juvenile offender convicted of animal
23 cruelty in the first degree to submit to a mental health evaluation
24 to determine if the offender would benefit from treatment and such
25 intervention would promote the safety of the community. After
26 consideration of the results of the evaluation, as a condition of
27 community supervision, the court may order the offender to attend
28 treatment to address issues pertinent to the offense.

29 The court may require the juvenile to undergo a mental health or
30 substance abuse assessment, or both. If the assessment identifies a
31 need for treatment, conditions of supervision may include treatment
32 for the assessed need that has been demonstrated to improve
33 behavioral health and reduce recidivism.

34 The court shall require a juvenile granted a deferral of
35 disposition for unlawful possession of a firearm in violation of RCW
36 9.41.040 to participate in a qualifying program as described in RCW
37 13.40.193(2)(b), when available, unless the court makes a written
38 finding based on the outcome of the juvenile court risk assessment
39 that participation in a qualifying program would not be appropriate.

1 (~~(6)~~) (7) A parent who signed for a probation bond has the
2 right to notify the counselor if the juvenile fails to comply with
3 the bond or conditions of supervision. The counselor shall notify the
4 court and surety of any failure to comply. A surety shall notify the
5 court of the juvenile's failure to comply with the probation bond.
6 The state shall bear the burden to prove, by a preponderance of the
7 evidence, that the juvenile has failed to comply with the terms of
8 community supervision.

9 (~~(7)~~) (8)(a) Anytime prior to the conclusion of the period of
10 supervision, the prosecutor or the juvenile's juvenile court
11 community supervision counselor may file a motion with the court
12 requesting the court revoke the deferred disposition based on the
13 juvenile's lack of compliance or treat the juvenile's lack of
14 compliance as a violation pursuant to RCW 13.40.200.

15 (b) If the court finds the juvenile failed to comply with the
16 terms of the deferred disposition, the court may:

17 (i) Revoke the deferred disposition and enter an order of
18 disposition; or

19 (ii) Impose sanctions for the violation pursuant to RCW
20 13.40.200.

21 (~~(8)~~) (9) At any time following deferral of disposition the
22 court may, following a hearing, continue supervision for an
23 additional one-year period for good cause.

24 (~~(9)~~) (10)(a) At the conclusion of the period of supervision,
25 the court shall determine whether the juvenile is entitled to
26 dismissal of the deferred disposition only when the court finds:

27 (i) The deferred disposition has not been previously revoked;

28 (ii) The juvenile has completed the terms of supervision;

29 (iii) There are no pending motions concerning lack of compliance
30 pursuant to subsection (~~(7)~~) (8) of this section; and

31 (iv) The juvenile has either paid the full amount of restitution,
32 or, made a good faith effort to pay the full amount of restitution
33 during the period of supervision.

34 (b) If the court finds the juvenile is entitled to dismissal of
35 the deferred disposition pursuant to (a) of this subsection, the
36 juvenile's conviction shall be vacated and the court shall dismiss
37 the case with prejudice, except that a conviction under RCW 16.52.205
38 shall not be vacated. Whenever a case is dismissed with restitution
39 still owing, the court shall enter a restitution order pursuant to
40 RCW 7.80.130 for any unpaid restitution. Jurisdiction to enforce

1 payment and modify terms of the restitution order shall be the same
2 as those set forth in RCW 7.80.130.

3 (c) If the court finds the juvenile is not entitled to dismissal
4 of the deferred disposition pursuant to (a) of this subsection, the
5 court shall revoke the deferred disposition and enter an order of
6 disposition. A deferred disposition shall remain a conviction unless
7 the case is dismissed and the conviction is vacated pursuant to (b)
8 of this subsection or sealed pursuant to RCW 13.50.260.

9 ~~((+10+))~~ (11)(a)(i) Any time the court vacates a conviction
10 pursuant to subsection ~~((+9+))~~ (10) of this section, if the juvenile
11 is eighteen years of age or older and the full amount of restitution
12 owing to the individual victim named in the restitution order,
13 excluding restitution owed to any insurance provider authorized under
14 Title 48 RCW has been paid, the court shall enter a written order
15 sealing the case.

16 (ii) Any time the court vacates a conviction pursuant to
17 subsection ~~((+9+))~~ (10) of this section, if the juvenile is not
18 eighteen years of age or older and full restitution ordered has been
19 paid, the court shall schedule an administrative sealing hearing to
20 take place no later than thirty days after the respondent's
21 eighteenth birthday, at which time the court shall enter a written
22 order sealing the case. The respondent's presence at the
23 administrative sealing hearing is not required.

24 (iii) Any deferred disposition vacated prior to June 7, 2012, is
25 not subject to sealing under this subsection.

26 (b) Nothing in this subsection shall preclude a juvenile from
27 petitioning the court to have the records of his or her deferred
28 dispositions sealed under RCW 13.50.260.

29 (c) Records sealed under this provision shall have the same legal
30 status as records sealed under RCW 13.50.260.

31 **Sec. 3.** RCW 13.40.308 and 2009 c 454 s 4 are each amended to
32 read as follows:

33 (1) If a respondent is adjudicated of taking a motor vehicle
34 without permission in the first degree as defined in RCW 9A.56.070,
35 the court shall impose the following minimum sentence, in addition to
36 any restitution the court may order payable to the victim:

37 (a) Juveniles with a prior criminal history score of zero to one-
38 half points shall be sentenced to a standard range sentence that
39 includes no less than three months of community supervision,

1 forty-five hours of community restitution, (~~a two hundred dollar~~
2 ~~fine,~~) and a requirement that the juvenile remain at home such that
3 the juvenile is confined to a private residence for no less than five
4 days. The juvenile may be subject to electronic monitoring where
5 available. If the juvenile is enrolled in school, the confinement
6 shall be served on nonschool days;

7 (b) Juveniles with a prior criminal history score of three-
8 quarters to one and one-half points shall be sentenced to a standard
9 range sentence that includes six months of community supervision, no
10 less than ten days of detention, and ninety hours of community
11 restitution(~~, and a four hundred dollar fine~~); and

12 (c) Juveniles with a prior criminal history score of two or more
13 points shall be sentenced to no less than fifteen to thirty-six weeks
14 commitment to the juvenile rehabilitation administration, four months
15 of parole supervision, and ninety hours of community restitution(~~, and a four hundred dollar fine~~)).

17 (2) If a respondent is adjudicated of theft of a motor vehicle as
18 defined under RCW 9A.56.065, or possession of a stolen vehicle as
19 defined under RCW 9A.56.068, the court shall impose the following
20 minimum sentence, in addition to any restitution the court may order
21 payable to the victim:

22 (a) Juveniles with a prior criminal history score of zero to one-
23 half points shall be sentenced to a standard range sentence that
24 includes no less than three months of community supervision(~~, forty-~~
25 ~~five hours of community restitution, a two hundred dollar fine,~~) and
26 either ninety hours of community restitution or a requirement that
27 the juvenile remain at home such that the juvenile is confined in a
28 private residence for no less than five days. The juvenile may be
29 subject to electronic monitoring where available, or a combination
30 thereof that includes a minimum of three days home confinement and a
31 minimum of forty hours of community restitution;

32 (b) Juveniles with a prior criminal history score of three-
33 quarters to one and one-half points shall be sentenced to a standard
34 range sentence that includes no less than six months of community
35 supervision, no less than ten days of detention, and ninety hours of
36 community restitution(~~, and a four hundred dollar fine~~); and

37 (c) Juveniles with a prior criminal history score of two or more
38 points shall be sentenced to no less than fifteen to thirty-six weeks
39 commitment to the juvenile rehabilitation administration, four months

1 of parole supervision, and ninety hours of community restitution(~~(7~~
2 ~~and a four hundred dollar fine)~~).

3 (3) If a respondent is adjudicated of taking a motor vehicle
4 without permission in the second degree as defined in RCW 9A.56.075,
5 the court shall impose a standard range as follows:

6 (a) Juveniles with a prior criminal history score of zero to one-
7 half points shall be sentenced to a standard range sentence that
8 includes three months of community supervision, fifteen hours of
9 community restitution, and a requirement that the juvenile remain at
10 home such that the juvenile is confined in a private residence for no
11 less than one day. If the juvenile is enrolled in school, the
12 confinement shall be served on nonschool days. The juvenile may be
13 subject to electronic monitoring where available;

14 (b) Juveniles with a prior criminal history score of three-
15 quarters to one and one-half points shall be sentenced to a standard
16 range sentence that includes no less than one day of detention, three
17 months of community supervision, thirty hours of community
18 restitution, (~~(a one hundred fifty dollar fine,)~~) and a requirement
19 that the juvenile remain at home such that the juvenile is confined
20 in a private residence for no less than two days. If the juvenile is
21 enrolled in school, the confinement shall be served on nonschool
22 days. The juvenile may be subject to electronic monitoring where
23 available; and

24 (c) Juveniles with a prior criminal history score of two or more
25 points shall be sentenced to no less than three days of detention,
26 six months of community supervision, forty-five hours of community
27 restitution, (~~(a one hundred fifty dollar fine,)~~) and a requirement
28 that the juvenile remain at home such that the juvenile is confined
29 in a private residence for no less than seven days. If the juvenile
30 is enrolled in school, the confinement shall be served on nonschool
31 days. The juvenile may be subject to electronic monitoring where
32 available.

33 **Sec. 4.** RCW 10.99.030 and 1996 c 248 s 6 are each amended to
34 read as follows:

35 (1) All training relating to the handling of domestic violence
36 complaints by law enforcement officers shall stress enforcement of
37 criminal laws in domestic situations, availability of community
38 resources, and protection of the victim. Law enforcement agencies and

1 community organizations with expertise in the issue of domestic
2 violence shall cooperate in all aspects of such training.

3 (2) The criminal justice training commission shall implement by
4 January 1, 1997, a course of instruction for the training of law
5 enforcement officers in Washington in the handling of domestic
6 violence complaints. The basic law enforcement curriculum of the
7 criminal justice training commission shall include at least twenty
8 hours of basic training instruction on the law enforcement response
9 to domestic violence. The course of instruction, the learning and
10 performance objectives, and the standards for the training shall be
11 developed by the commission and focus on enforcing the criminal laws,
12 safety of the victim, and holding the perpetrator accountable for the
13 violence. The curriculum shall include training on the extent and
14 prevalence of domestic violence, the importance of criminal justice
15 intervention, techniques for responding to incidents that minimize
16 the likelihood of officer injury and that promote victim safety,
17 investigation and interviewing skills, evidence gathering and report
18 writing, assistance to and services for victims and children,
19 verification and enforcement of court orders, liability, and any
20 additional provisions that are necessary to carry out the intention
21 of this subsection.

22 (3) The criminal justice training commission shall develop and
23 update annually an in-service training program to familiarize law
24 enforcement officers with the domestic violence laws. The program
25 shall include techniques for handling incidents of domestic violence
26 that minimize the likelihood of injury to the officer and that
27 promote the safety of all parties. The commission shall make the
28 training program available to all law enforcement agencies in the
29 state.

30 (4) Development of the training in subsections (2) and (3) of
31 this section shall be conducted in conjunction with agencies having a
32 primary responsibility for serving victims of domestic violence with
33 emergency shelter and other services, and representatives to the
34 statewide organization providing training and education to these
35 organizations and to the general public.

36 (5) The primary duty of peace officers, when responding to a
37 domestic violence situation, is to enforce the laws allegedly
38 violated and to protect the complaining party.

39 (6)(a) When a peace officer responds to a domestic violence call
40 and has probable cause to believe that a crime has been committed,

1 the peace officer shall exercise arrest powers with reference to the
2 criteria in RCW 10.31.100. The officer shall notify the victim of the
3 victim's right to initiate a criminal proceeding in all cases where
4 the officer has not exercised arrest powers or decided to initiate
5 criminal proceedings by citation or otherwise. The parties in such
6 cases shall also be advised of the importance of preserving evidence.

7 (b) A peace officer responding to a domestic violence call shall
8 take a complete offense report including the officer's disposition of
9 the case.

10 (7) When a peace officer responds to a domestic violence call,
11 the officer shall advise victims of all reasonable means to prevent
12 further abuse, including advising each person of the availability of
13 a shelter or other services in the community, and giving each person
14 immediate notice of the legal rights and remedies available. The
15 notice shall include handing each person a copy of the following
16 statement:

17 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the
18 city or county prosecuting attorney to file a criminal
19 complaint. You also have the right to file a petition in
20 superior, district, or municipal court requesting an order
21 for protection from domestic abuse which could include any of
22 the following: (a) An order restraining your abuser from
23 further acts of abuse; (b) an order directing your abuser to
24 leave your household; (c) an order preventing your abuser
25 from entering your residence, school, business, or place of
26 employment; (d) an order awarding you or the other parent
27 custody of or visitation with your minor child or children;
28 and (e) an order restraining your abuser from molesting or
29 interfering with minor children in your custody. The forms
30 you need to obtain a protection order are available in any
31 municipal, district, or superior court.

32 Information about shelters and alternatives to domestic
33 violence is available from a statewide twenty-four-hour toll-
34 free hot line at (include appropriate phone number). The
35 battered women's shelter and other resources in your area
36 are (include local information)"

37 (8) The peace officer may offer, arrange, or facilitate
38 transportation for the victim to a hospital for treatment of injuries
39 or to a place of safety or shelter.

1 (9) The law enforcement agency shall forward the offense report
2 to the appropriate prosecutor within ten days of making such report
3 if there is probable cause to believe that an offense has been
4 committed, unless the case is under active investigation. Upon
5 receiving the offense report, the prosecuting agency may, in its
6 discretion, choose not to file the information as a domestic violence
7 offense, if the offense was committed against a sibling, parent,
8 stepparent, or grandparent.

9 (10) Each law enforcement agency shall make as soon as
10 practicable a written record and shall maintain records of all
11 incidents of domestic violence reported to it.

12 (11) Records kept pursuant to subsections (6) and (10) of this
13 section shall be made identifiable by means of a departmental code
14 for domestic violence.

15 (12) Commencing January 1, 1994, records of incidents of domestic
16 violence shall be submitted, in accordance with procedures described
17 in this subsection, to the Washington association of sheriffs and
18 police chiefs by all law enforcement agencies. The Washington
19 criminal justice training commission shall amend its contract for
20 collection of statewide crime data with the Washington association of
21 sheriffs and police chiefs:

22 (a) To include a table, in the annual report of crime in
23 Washington produced by the Washington association of sheriffs and
24 police chiefs pursuant to the contract, showing the total number of
25 actual offenses and the number and percent of the offenses that are
26 domestic violence incidents for the following crimes: (i) Criminal
27 homicide, with subtotals for murder and nonnegligent homicide and
28 manslaughter by negligence; (ii) forcible rape, with subtotals for
29 rape by force and attempted forcible rape; (iii) robbery, with
30 subtotals for firearm, knife or cutting instrument, or other
31 dangerous weapon, and strongarm robbery; (iv) assault, with subtotals
32 for firearm, knife or cutting instrument, other dangerous weapon,
33 hands, feet, aggravated, and other nonaggravated assaults; (v)
34 burglary, with subtotals for forcible entry, nonforcible unlawful
35 entry, and attempted forcible entry; (vi) larceny theft, except motor
36 vehicle theft; (vii) motor vehicle theft, with subtotals for autos,
37 trucks and buses, and other vehicles; (viii) arson; and (ix)
38 violations of the provisions of a protection order or no-contact
39 order restraining the person from going onto the grounds of or
40 entering a residence, workplace, school, or day care, provided that

1 specific appropriations are subsequently made for the collection and
2 compilation of data regarding violations of protection orders or no-
3 contact orders;

4 (b) To require that the table shall continue to be prepared and
5 contained in the annual report of crime in Washington until that time
6 as comparable or more detailed information about domestic violence
7 incidents is available through the Washington state incident based
8 reporting system and the information is prepared and contained in the
9 annual report of crime in Washington; and

10 (c) To require that, in consultation with interested persons, the
11 Washington association of sheriffs and police chiefs prepare and
12 disseminate procedures to all law enforcement agencies in the state
13 as to how the agencies shall code and report domestic violence
14 incidents to the Washington association of sheriffs and police
15 chiefs.

16 **Sec. 5.** RCW 13.40.265 and 2003 c 53 s 101 are each amended to
17 read as follows:

18 (1)((+a+)) If a juvenile thirteen years of age or older is found
19 by juvenile court to have committed an offense while armed with a
20 firearm or an offense that is a violation of RCW 9.41.040(2)(a)
21 ((+iii+)) (iv) or chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
22 court shall notify the department of licensing within twenty-four
23 hours after entry of the judgment, unless the offense is the
24 juvenile's first offense in violation of chapter 66.44, 69.41, 69.50,
25 or 69.52 RCW.

26 ((+b+)) (2) Except as otherwise provided in ((+c+ of this))
27 subsection (3) of this section, upon petition of a juvenile who has
28 been found by the court to have committed an offense that is a
29 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court may
30 at any time the court deems appropriate notify the department of
31 licensing that the juvenile's driving privileges should be
32 reinstated.

33 ((+c+ If the offense is the juvenile's first violation of chapter
34 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the
35 court for reinstatement of the juvenile's privilege to drive revoked
36 pursuant to RCW 46.20.265 until ninety days after the date the
37 juvenile turns sixteen or ninety days after the judgment was entered,
38 whichever is later.)) (3) If the offense is the juvenile's second or
39 subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW,

1 the juvenile may not petition the court for reinstatement of the
2 juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until
3 the date the juvenile turns seventeen or one year after the date
4 judgment was entered, whichever is later.

5 ~~((2)(a) If a juvenile enters into a diversion agreement with a
6 diversion unit pursuant to RCW 13.40.080 concerning an offense that
7 is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
8 diversion unit shall notify the department of licensing within
9 twenty four hours after the diversion agreement is signed.~~

10 ~~(b) If a diversion unit has notified the department pursuant to
11 (a) of this subsection, the diversion unit shall notify the
12 department of licensing when the juvenile has completed the
13 agreement.))~~

14 **Sec. 6.** RCW 46.20.265 and 2005 c 288 s 2 are each amended to
15 read as follows:

16 (1) In addition to any other authority to revoke driving
17 privileges under this chapter, the department shall revoke all
18 driving privileges of a juvenile when the department receives notice
19 from a court pursuant to RCW 9.41.040(5), 13.40.265, 66.44.365,
20 69.41.065, 69.50.420, 69.52.070, or a substantially similar municipal
21 ordinance adopted by a local legislative authority, or from a
22 diversion unit pursuant to RCW 13.40.265.

23 (2) The driving privileges of the juvenile revoked under
24 subsection (1) of this section shall be revoked in the following
25 manner:

26 (a) Upon receipt of the first notice, the department shall impose
27 a revocation for one year, or until the juvenile reaches seventeen
28 years of age, whichever is longer.

29 (b) Upon receipt of a second or subsequent notice, the department
30 shall impose a revocation for two years or until the juvenile reaches
31 eighteen years of age, whichever is longer.

32 (c) Each offense for which the department receives notice shall
33 result in a separate period of revocation. All periods of revocation
34 imposed under this section that could otherwise overlap shall run
35 consecutively up to the juvenile's twenty-first birthday, and no
36 period of revocation imposed under this section shall begin before
37 the expiration of all other periods of revocation imposed under this
38 section or other law. Periods of revocation imposed consecutively

1 under this section shall not extend beyond the juvenile's twenty-
2 first birthday.

3 (3)(a) If the department receives notice from a court that the
4 juvenile's privilege to drive should be reinstated, the department
5 shall immediately reinstate any driving privileges that have been
6 revoked under this section if the minimum term of revocation as
7 specified in RCW 13.40.265(~~((1)(e))~~) (3), 66.44.365(3), 69.41.065(3),
8 69.50.420(3), 69.52.070(3), or similar ordinance has expired, and
9 subject to subsection (2)(c) of this section.

10 (b) The juvenile may seek reinstatement of his or her driving
11 privileges from the department when the juvenile reaches the age of
12 twenty-one. A notice from the court reinstating the juvenile's
13 driving privilege shall not be required if reinstatement is pursuant
14 to this subsection.

15 ~~((4)(a) If the department receives notice pursuant to RCW
16 13.40.265(2)(b) from a diversion unit that a juvenile has completed a
17 diversion agreement for which the juvenile's driving privileges were
18 revoked, the department shall reinstate any driving privileges
19 revoked under this section as provided in (b) of this subsection,
20 subject to subsection (2)(c) of this section.~~

21 ~~(b) If the diversion agreement was for the juvenile's first
22 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
23 department shall not reinstate the juvenile's privilege to drive
24 until the later of ninety days after the date the juvenile turns
25 sixteen or ninety days after the juvenile entered into a diversion
26 agreement for the offense. If the diversion agreement was for the
27 juvenile's second or subsequent violation of chapter 66.44, 69.41,
28 69.50, or 69.52 RCW, the department shall not reinstate the
29 juvenile's privilege to drive until the later of the date the
30 juvenile turns seventeen or one year after the juvenile entered into
31 the second or subsequent diversion agreement.))~~

32 **Sec. 7.** RCW 66.44.365 and 1989 c 271 s 118 are each amended to
33 read as follows:

34 (1) If a juvenile thirteen years of age or older and under the
35 age of eighteen is found by a court to have committed any offense
36 that is a violation of this chapter, the court shall notify the
37 department of licensing within twenty-four hours after entry of the
38 judgment, unless the offense is the juvenile's first offense in

1 violation of this chapter and has not committed an offense in
2 violation of chapter 69.41, 69.50, or 69.52 RCW.

3 (2) Except as otherwise provided in subsection (3) of this
4 section, upon petition of a juvenile whose privilege to drive has
5 been revoked pursuant to RCW 46.20.265, the court may notify the
6 department of licensing that the juvenile's privilege to drive should
7 be reinstated.

8 (3) If the conviction is for the juvenile's first violation of
9 this chapter or chapter 69.41, 69.50, or 69.52 RCW, a juvenile may
10 not petition the court for reinstatement of the juvenile's privilege
11 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
12 days after the date the juvenile turns sixteen or ninety days after
13 the judgment was entered. If the conviction was for the juvenile's
14 second or subsequent violation of this chapter or chapter 69.41,
15 69.50, or 69.52 RCW, the juvenile may not petition the court for
16 reinstatement of the juvenile's privilege to drive revoked pursuant
17 to RCW 46.20.265 until the later of the date the juvenile turns
18 seventeen or one year after the date judgment was entered.

19 **Sec. 8.** RCW 69.41.065 and 1989 c 271 s 119 are each amended to
20 read as follows:

21 (1) If a juvenile thirteen years of age or older and under the
22 age of twenty-one is found by a court to have committed any offense
23 that is a violation of this chapter, the court shall notify the
24 department of licensing within twenty-four hours after entry of the
25 judgment, unless the offense is the juvenile's first offense in
26 violation of this chapter and has not committed an offense in
27 violation of chapter 66.44, 69.50, or 69.52 RCW.

28 (2) Except as otherwise provided in subsection (3) of this
29 section, upon petition of a juvenile whose privilege to drive has
30 been revoked pursuant to RCW 46.20.265, the court may notify the
31 department of licensing that the juvenile's privilege to drive should
32 be reinstated.

33 (3) If the conviction is for the juvenile's first violation of
34 this chapter or chapter 66.44, 69.50, or 69.52 RCW, the juvenile may
35 not petition the court for reinstatement of the juvenile's privilege
36 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
37 days after the date the juvenile turns sixteen or ninety days after
38 the judgment was entered. If the conviction was for the juvenile's
39 second or subsequent violation of this chapter or chapter 66.44,

1 69.50, or 69.52 RCW, the juvenile may not petition the court for
2 reinstatement of the juvenile's privilege to drive revoked pursuant
3 to RCW 46.20.265 until the later of the date the juvenile turns
4 seventeen or one year after the date judgment was entered.

5 **Sec. 9.** RCW 69.50.420 and 1989 c 271 s 120 are each amended to
6 read as follows:

7 (1) If a juvenile thirteen years of age or older and under the
8 age of twenty-one is found by a court to have committed any offense
9 that is a violation of this chapter, the court shall notify the
10 department of licensing within twenty-four hours after entry of the
11 judgment, unless the offense is the juvenile's first offense in
12 violation of this chapter and has not committed an offense in
13 violation of chapter 66.44, 69.41, or 69.52 RCW.

14 (2) Except as otherwise provided in subsection (3) of this
15 section, upon petition of a juvenile whose privilege to drive has
16 been revoked pursuant to RCW 46.20.265, the court may at any time the
17 court deems appropriate notify the department of licensing to
18 reinstate the juvenile's privilege to drive.

19 (3) If the conviction is for the juvenile's first violation of
20 this chapter or chapter 66.44, 69.41, or 69.52 RCW, the juvenile may
21 not petition the court for reinstatement of the juvenile's privilege
22 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
23 days after the date the juvenile turns sixteen or ninety days after
24 the judgment was entered. If the conviction was for the juvenile's
25 second or subsequent violation of this chapter or chapter 66.44,
26 69.41, or 69.52 RCW, the juvenile may not petition the court for
27 reinstatement of the juvenile's privilege to drive revoked pursuant
28 to RCW 46.20.265 until the later of the date the juvenile turns
29 seventeen or one year after the date judgment was entered.

30 **Sec. 10.** RCW 69.52.070 and 1989 c 271 s 121 are each amended to
31 read as follows:

32 (1) If a juvenile thirteen years of age or older and under the
33 age of twenty-one is found by a court to have committed any offense
34 that is a violation of this chapter, the court shall notify the
35 department of licensing within twenty-four hours after entry of the
36 judgment, unless the offense is the juvenile's first offense in
37 violation of this chapter and has not committed an offense in
38 violation of chapter 66.44, 69.41, or 69.50 RCW.

1 (2) Except as otherwise provided in subsection (3) of this
2 section, upon petition of a juvenile whose privilege to drive has
3 been revoked pursuant to RCW 46.20.265, the court may at any time the
4 court deems appropriate notify the department of licensing to
5 reinstate the juvenile's privilege to drive.

6 (3) If the conviction is for the juvenile's first violation of
7 this chapter or chapter 66.44, 69.41, or 69.50 RCW, the juvenile may
8 not petition the court for reinstatement of the juvenile's privilege
9 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
10 days after the date the juvenile turns sixteen or ninety days after
11 the judgment was entered. If the conviction was for the juvenile's
12 second or subsequent violation of this chapter or chapter 66.44,
13 69.41, or 69.50 RCW, the juvenile may not petition the court for
14 reinstatement of the juvenile's privilege to drive revoked pursuant
15 to RCW 46.20.265 until the later of the date the juvenile turns
16 seventeen or one year after the date judgment was entered."

17 Correct the title.

EFFECT: The striking amendment makes the following changes to the underlying bill:

(1) Restores the electronic monitoring option for juvenile offenders adjudicated of motor vehicle-related offenses.

(2) Replaces a maximum of 40 hours with a minimum of 40 hours of community restitution that may be imposed as a combination of community restitution and a minimum of three days home confinement after a juvenile is adjudicated for theft of a motor vehicle or possession of a stolen vehicle with a prior criminal history score of zero to one-half points.

(3) Restores the requirement that courts notify the department of licensing within 24 hours after a juvenile offender is adjudicated of an offense while armed with a firearm or a possession of a firearm offense.

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