

# SENATE BILL REPORT

## SHB 1199

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As of March 9, 2017

**Title:** An act relating to allowing youth courts to have jurisdiction over transit infractions.

**Brief Description:** Allowing youth courts to have jurisdiction over transit infractions.

**Sponsors:** House Committee on Judiciary (originally sponsored by Representatives Irwin, Jinkins, Goodman, Rodne, Hayes, Muri, Frame, Stokesbary and Stambaugh).

**Brief History:** Passed House: 2/09/17, 98-0.

**Committee Activity:** Human Services, Mental Health & Housing: 3/13/17.

### Brief Summary of Bill

- Adds jurisdiction over transit infractions to youth courts with jurisdiction over traffic infractions.

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### SENATE COMMITTEE ON HUMAN SERVICES, MENTAL HEALTH & HOUSING

**Staff:** Melissa Burke-Cain (786-7755)

**Background:** Youth court programs are designed to provide an alternative within the justice system for young first-time offenders. District and municipal courts may create youth courts to hear and dispose of traffic infractions for juveniles 16 or 17 years of age. The court may refer a juvenile to a youth court upon the request of any party or upon its own motion; however, a juvenile is not required to have the traffic infraction referred to, or disposed of, by a youth court.

To be referred to a youth court for traffic infractions, a juvenile:

- may not have had a prior traffic infraction referred to a youth court;
- may not be under the jurisdiction of any court for a violation of any provision of the state motor vehicle code;
- may not have any convictions for a violation of any provision of the state motor vehicle code; and
- must acknowledge that there is a high likelihood that the juvenile would be found to have committed the traffic infraction.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The youth court disposition is a contract between a juvenile accused of a traffic infraction and a court in which the juvenile agrees to fulfill certain conditions in lieu of a determination that a traffic infraction occurred. Conditions imposed pursuant to a youth court agreement are limited to one or more of the following:

- community service, not exceeding 150 hours and not during school hours;
- attendance at driving school;
- a monetary penalty not exceeding \$100—if the penalty cannot reasonably be paid due to a lack of financial resources, the court may convert the penalty into community service ;
- requirements to remain during specified hours at home, school, or work, and restrictions on leaving or entering specified geographical areas;
- participating in law-related education classes, mentoring programs, or service in future youth court proceedings; or
- writing apology letters or essays.

**Summary of Bill:** Youth courts with jurisdiction over traffic infractions also have jurisdiction over transit infractions. A transit infraction means an infraction issued by a transit authority, including failing to pay the required fare, failing to produce proof of payment, and failure to depart the transportation facility when requested to do so by a person designated to monitor fare payment. A transit authority means a city transit system, a county transportation authority, a metropolitan municipal corporation transit system, a public transportation benefit area, an unincorporated transportation benefit area, a regional transportation authority, or any special purpose district formed to operate a public transportation system.

A youth may not be referred to a youth court if the youth has had a prior transit infraction, is under the jurisdiction of any court for unlawful transit conduct, or has convictions for unlawful transit conduct.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of the session in which the bill is passed.