

# HOUSE BILL ANALYSIS

## HB 1749

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**Title:** An act relating to eligibility for deferred disposition.

**Brief Description:** Revising eligibility requirements for deferred disposition.

**Sponsors:** Representatives Dickerson, McDonald, Lantz and Koster.

### Brief Summary of Bill

- Makes a juvenile ineligible for a deferred disposition when the juvenile has two or more misdemeanors.

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### HOUSE COMMITTEE ON JUDICIARY

**Staff:** Trudes Hutcheson (786-7384).

#### Background:

Deferred disposition is a disposition alternative for some juveniles offenders. If the juvenile agrees to a deferred disposition, after a plea of guilty or a determination of guilt upon a reading of the record, the court may continue the case for disposition for up to one year and place the juvenile on community supervision.

The court may impose any conditions of supervision that it finds appropriate. If the juvenile fails to comply with the conditions of the community supervision, the court must enter an order of disposition. 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 no further action on the case will be taken.

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 diversions.

Diversion is a different disposition option, and allows a juvenile accused of a minor offense to fulfill certain conditions in lieu of prosecution.

The statutes do not specify a limit on the number of prior misdemeanors a juvenile may have before becoming ineligible for deferred disposition.

**Summary of Bill:**

The criteria for when a juvenile is ineligible for a deferred disposition is expanded. A juvenile is ineligible for a deferred disposition if the juvenile has two or more misdemeanors.

**Fiscal Note:** Not requested.

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

Office of Program Research