

**RCW 13.40.300 Commitment of juvenile beyond age 21 prohibited—
Exceptions—Commitment up to age 25 permitted under certain
circumstances—Jurisdiction of juvenile court after juvenile's 18th
birthday.**

(1) Except as provided in (a) through (c) of this subsection, a juvenile offender may not be committed by the juvenile court to the department for placement in a juvenile rehabilitation facility beyond the juvenile offender's 21st birthday.

(a) A juvenile offender adjudicated of an A++ juvenile disposition category offense listed in RCW 13.40.0357, or found to be armed with a firearm and sentenced to an additional 12 months pursuant to RCW 13.40.193(3)(b), may be committed by the juvenile court to the department for placement in a juvenile rehabilitation facility up to the juvenile offender's 25th birthday, but not beyond.

(b) A juvenile offender adjudicated of a murder in the first or second degree offense committed at age 14 or older or a juvenile offender adjudicated of a rape in the first degree offense committed at age 15 or older may be committed by the juvenile court to the department for placement in a juvenile rehabilitation facility up to the juvenile offender's 23rd birthday, but not beyond.

(c) A juvenile offender who is 18 or older at the time of the adjudication may be committed by the juvenile court to the department for placement in a juvenile rehabilitation facility up to the juvenile offender's 23rd birthday, but not beyond, in order to serve a standard range disposition.

(2) (a) The juvenile court has jurisdiction over, and may place an individual under the authority of the department in the following circumstances:

(i) Except as provided under RCW 13.04.030 and 13.40.110, when the individual is under the age of 21 at the time of the filing of the information and is accused of committing a criminal offense that occurred when the individual was under the age of 18; or

(ii) If proceedings are pending in a case in which jurisdiction is vested in the adult criminal court pursuant to RCW 13.04.030 and an automatic extension is required because either:

(A) The individual is found not guilty of the charge for which he or she was transferred, or is convicted in the adult criminal court of an offense that is not also an offense listed in RCW 13.04.030(1)(e)(v), and the matter is transferred to juvenile court pursuant to RCW 13.04.030(1)(e)(v)(C)(II); or

(B) The parties agree to juvenile court jurisdiction with the court's approval pursuant to RCW 13.04.030(1)(e)(v)(C)(III).

(b) Upon a finding of guilt in juvenile court, the juvenile court maintains jurisdiction to allow for imposition, execution, and enforcement of the court's order of disposition, subject to the limitations in this section.

(3) If an order of disposition imposes a commitment to the department for a juvenile offender:

(a) Adjudicated of an A++ juvenile disposition category offense listed in RCW 13.40.0357, adjudicated of a murder in the first or second degree offense committed at age 14 or older, or found to be armed with a firearm and sentenced to an additional 12 months pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is automatically extended to include a period of up to 24 months of parole, in no case extending beyond the offender's 25th birthday; or

(b) Adjudicated of a rape in the first degree offense committed at age 15 or older, then jurisdiction for parole is automatically

extended to include a period of no less than 24 months and no more than 36 months of parole, in no case extending beyond the offender's 25th birthday.

(4) Pursuant to the terms of RCW 13.40.190, the juvenile court maintains jurisdiction beyond the juvenile offender's 21st birthday for the purpose of enforcing an order of restitution or penalty assessment.

(5) Except as otherwise provided herein, in no event may the juvenile court have authority to extend jurisdiction over any juvenile offender beyond the juvenile offender's 21st birthday.

(6) Notwithstanding any extension of jurisdiction over a person pursuant to this section, the juvenile court has no jurisdiction over any offenses alleged to have been committed by a person 18 years of age or older. [2024 c 117 s 1; 2019 c 322 s 3; 2018 c 162 s 7; (2018 c 162 s 6 expired July 1, 2019); 2017 3rd sp.s. c 6 s 613; 2005 c 238 s 2; 2000 c 71 s 2; 1994 sp.s. c 7 s 530; 1986 c 288 s 6; 1983 c 191 s 17; 1981 c 299 s 17; 1979 c 155 s 73; 1975 1st ex.s. c 170 s 1. Formerly RCW 13.04.260.]

Application—2024 c 117: "(1) The amendments in RCW 13.40.300(1)(c) in this act apply to all charges that are filed on or after June 6, 2024, regardless of whether the charges are based on conduct that occurred before or after June 6, 2024.

(2) The amendments in RCW 13.40.300(2) and 13.40.110 in this act apply to all cases in which charges are pending on June 6, 2024, and to all cases in which charges are filed on or after June 6, 2024, regardless of whether the charges are based on conduct that occurred before or after June 6, 2024." [2024 c 117 s 5.]

Findings—Intent—2019 c 322: See note following RCW 72.01.410.

Effective date—2018 c 162 ss 2 and 7: See note following RCW 13.04.030.

Expiration date—2018 c 162 ss 1 and 6: See note following RCW 13.04.030.

Report to legislature—2019 c 322 ss 2-6; 2018 c 162: See RCW 13.04.800.

Effective date—2017 3rd sp.s. c 6 ss 601-631, 701-728, and 804: See note following RCW 13.04.011.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Effective date—2000 c 71: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 22, 2000]." [2000 c 71 s 4.]

Finding—Intent—Severability—1994 sp.s. c 7: See notes following RCW 43.70.540.

Severability—1986 c 288: See note following RCW 43.185C.260.

Effective date—Severability—1979 c 155: See notes following RCW 13.04.011.