

2 **HB 1332** - S COMM AMD

3 By Committee on Human Services & Corrections

4

5 On page 1, after line 3, insert the following:

6 "Sec. 1. RCW 9.68A.105 and 1995 c 353 s 12 are each amended to
7 read as follows:

8 (1)(a) In addition to penalties set forth in RCW 9.68A.100, a
9 person who is either convicted or given a deferred sentence or a
10 deferred prosecution or who has entered into a diversion agreement as
11 a result of an arrest for violating RCW 9.68A.100 or a comparable
12 county or municipal ordinance shall be assessed a two hundred fifty
13 dollar fee.

14 (b) The court may not suspend payment of all or part of the fee
15 unless it finds that the person does not have the ability to pay.

16 (c) When a minor has been adjudicated a juvenile offender or has
17 entered into a diversion agreement for an offense which, if committed
18 by an adult, would constitute a violation of RCW 9.68A.100 or a
19 comparable county or municipal ordinance, the court shall assess the
20 fee under (a) of this subsection. The court may not suspend payment of
21 all or part of the fee unless it finds that the minor does not have the
22 ability to pay the fee.

23 (2) The fee assessed under subsection (1) of this section shall be
24 collected by the clerk of the court and distributed each month to the
25 state treasurer for deposit in the prostitution prevention and
26 intervention account under RCW 43.63A.740 for the purpose of funding
27 prostitution prevention and intervention activities.

28 (3) For the purposes of this section, "diversion agreement" means
29 an agreement under RCW 13.40.080 or any written agreement between a
30 person accused of an offense listed in subsection (1) of this section
31 and a court or a county or city prosecutor, or a designee thereof,
32 whereby the person agrees to fulfill certain conditions in lieu of
33 prosecution.

34 **Sec. 2.** RCW 9A.88.120 and 1995 c 353 s 13 are each amended to read
35 as follows:

1 (1)(a) In addition to penalties set forth in RCW 9A.88.010,
2 9A.88.030, and 9A.88.090, a person who is either convicted or given a
3 deferred sentence or a deferred prosecution or who has entered into a
4 diversion agreement as a result of an arrest for violating RCW
5 9A.88.010, 9A.88.030, 9A.88.090, or comparable county or municipal
6 ordinances shall be assessed a fifty dollar fee.

7 (b) In addition to penalties set forth in RCW 9A.88.110, a person
8 who is either convicted or given a deferred sentence or a deferred
9 prosecution or who has entered into a diversion agreement as a result
10 of an arrest for violating RCW 9A.88.110 or a comparable county or
11 municipal ordinance shall be assessed a one hundred fifty dollar fee.

12 (c) In addition to penalties set forth in RCW 9A.88.070 and
13 9A.88.080, a person who is either convicted or given a deferred
14 sentence or a deferred prosecution or who has entered into a diversion
15 agreement as a result of an arrest for violating RCW 9A.88.070,
16 9A.88.080, or comparable county or municipal ordinances shall be
17 assessed a three hundred dollar fee.

18 (2) The court may not suspend payment of all or part of the fee
19 unless it finds that the person does not have the ability to pay.

20 (3) When a minor has been adjudicated a juvenile offender or has
21 entered into a diversion agreement for an offense which, if committed
22 by an adult, would constitute a violation under this chapter or
23 comparable county or municipal ordinances, the court shall assess the
24 fee as specified under subsection (1) of this section. The court may
25 not suspend payment of all or part of the fee unless it finds that the
26 minor does not have the ability to pay the fee.

27 (4) Any fee assessed under this section shall be collected by the
28 clerk of the court and distributed each month to the state treasurer
29 for deposit in the prostitution prevention and intervention account
30 under RCW 43.63A.740 for the purpose of funding prostitution prevention
31 and intervention activities.

32 (5) For the purposes of this section, "diversion agreement" means
33 an agreement under RCW 13.40.080 or any written agreement between a
34 person accused of an offense listed in subsection (1) of this section
35 and a court or a county or city prosecutor, or a designee thereof,
36 whereby the person agrees to fulfill certain conditions in lieu of
37 prosecution."

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly.

3 **HB 1332** - S COMM AMD

4 By Committee on Human Services & Corrections

5

6 On page 1, beginning on line 1 of the title, after "diversion;"
7 strike the remainder of the title and insert "amending RCW 9.68A.105,
8 9A.88.120, 13.40.080, and 13.40.160; and prescribing penalties."

--- END ---