

HOUSE BILL ANALYSIS

SSB 6244

Brief Description: Extending juvenile court jurisdiction for the purpose of enforcing penalty assessments.

Sponsors: Senator Costa and McCaslin.

Hearing: February 25, 2000.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

BACKGROUND:

A juvenile adjudicated of an offense is required to pay a victim penalty assessment. The assessment is \$100 for each case that includes one or more adjudications for a felony or gross misdemeanor and \$75 for each case that includes adjudications of one or more misdemeanors. The penalty assessment is used for county programs that provide comprehensive services to victims and witnesses of crimes.

The juvenile court has jurisdiction over a juvenile beyond the juvenile's 18th birthday only in certain specified instances, and jurisdiction never extends beyond the juvenile's 21st birthday, except for the enforcement of a restitution order.

A recent Court of Appeals decision, *State v. Y.I.*, held that the victim penalty assessment was part of the disposition order and terminates when the community supervision period expires. In reaching its decision, the court noted that if the Legislature had intended the court's jurisdiction to extend beyond this time period, it would have enacted a specific grant of jurisdiction for this purpose as it did for restitution orders.

SUMMARY OF BILL:

The court retains jurisdiction over a juvenile who is required to pay a penalty assessment for up to 10 years after the juvenile's 18th birthday. Before the expiration of the 10-year

period, the court may extend the judgment for payment of the penalty assessment for an additional 10 years. The bill applies retroactively to the date of the decision in *State v. Y.I.* (March 29, 1999).

FISCAL NOTE: Available.

EFFECTIVE DATE: The bill contains an emergency clause and takes effective immediately. Applies retroactively to March 29, 1999.