

SENATE BILL REPORT

SSB 6244

As Passed Senate, February 11, 2000

Title: An act relating to the extension of juvenile court jurisdiction to enforce a penalty assessment.

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

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Costa, McCaslin, Kline, Long, Prentice, Zarelli, Fairley, Gardner, Thibaudeau, Heavey, Goings, Kohl-Welles, McAuliffe and Winsley).

Brief History:

Committee Activity: Human Services & Corrections: 1/27/2000, 1/28/2000 [DPS].
Passed Senate, 2/11/2000, 44-0.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6244 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hargrove, Chair; Costa, Vice Chair; Franklin, Long, Patterson, Stevens and Zarelli.

Staff: Jennifer Strus (786-7484)

Background: On March 29, 1999, Division I of the Washington State Court of Appeals decided *State v. Y.I.* The court held that the victim penalty assessment, which the defendant in this case did not pay, was part of a disposition order. Because the state did not file a motion on violation of the disposition order before the expiration of the community supervision period, the court held the trial court had no jurisdiction to hear the matter. Furthermore, the court held that if the Legislature had intended that the court's jurisdiction extend past the expiration of the community supervision period, it would have specifically stated that as it did in RCW 13.40.190 with restitution orders. Since the Legislature was not specific, the trial court was without jurisdiction to hear the matter.

Summary of Bill: The legislative intent is to clarify the holding in *State v. Y.I.* to require juvenile offenders to satisfy penalty assessments. If a juvenile is required to pay a penalty assessment, he or she remains under the court's jurisdiction for 10 years after his or her 18th birthday. Before expiration of the 10-year period, the court may extend the judgment for payment of the penalty assessment for an additional 10 years.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Applies retroactively to March 29, 1999, the date on which the decision in *State v. Y.I* was rendered. The bill contains an emergency clause and takes effect immediately.

Testimony For: This bill will allow the counties to collect additional assessments they would not have otherwise been allowed to collect. It ensures that offenders complete this condition of their disposition.

Testimony Against: None.

Testified: PRO: Debbie Wilke, WACO; Tom McBride, WAPA.

House Amendment(s): The amendment clarifies that a person's conviction is the triggering event for purposes of assessing a victim penalty assessment.