

SENATE BILL REPORT

SB 5974

As of January 11, 2024

Title: An act relating to the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023.

Brief Description: Concerning the disposition of unenforceable legal financial obligations other than restitution imposed by a court or an agent of the court against a juvenile prior to July 1, 2023.

Sponsors: Senators Frame, Saldaña, Dhingra, Hasegawa, Kuderer, Nguyen, Nobles, Trudeau and Wilson, C..

Brief History:

Committee Activity: Human Services: 1/15/24.

Brief Summary of Bill

- Makes debts from juvenile nonrestitution legal financial obligations null and void and considered satisfied and paid in full by July 1, 2025.

SENATE COMMITTEE ON HUMAN SERVICES

Staff: Kelsey-anne Fung (786-7479)

Background: Juvenile Legal Financial Obligations. Prior to 2023, courts were authorized to impose legal financial obligations (LFOs) as part of the judgment and sentence for juveniles adjudicated of a criminal offense. LFOs include victim restitution, court costs, criminal offense fines, the crime victim penalty assessment, and other fees, penalties, and assessments.

Legislation enacted in 2023 prohibits the imposition or collection of any fine, administrative fee, cost, or surcharge by the court or any agent of the court against any juvenile or a

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

juvenile's parent or guardian, or other person with custody of the juvenile, in connection with any juvenile offender proceeding. This includes but is not limited to fees for diversion, DNA sampling, or victims penalty assessments. A judgment against a juvenile for LFOs other than restitution is not enforceable after July 1, 2023, and the superior court clerk must not accept any nonrestitution LFO payments from a juvenile after July 1, 2023. Courts are not required to refund or reimburse amounts previously paid towards LFOs, interest on LFOs, or any other costs.

The 2023 legislation also eliminated the \$100 crime victim penalty assessment for juveniles who were found to have committed a most serious offense. Upon motion, the court must waive any crime victim penalty assessment previously imposed upon a juvenile. A new account was created in the state treasury to mitigate the fiscal impact from elimination of the crime victim penalty assessment on juveniles and indigent adults.

Summary of Bill: Any debt from the imposition of a legal financial obligation other than restitution shall be rendered null and void, and considered satisfied and paid in full by July 1, 2025.

The Administrative Office of the Courts may take the necessary steps to ensure this act is implemented by July 1, 2025.

Appropriation: None.

Fiscal Note: Requested on January 4, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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