

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2512

Chapter 169, Laws of 1994

53rd Legislature
1994 Regular Session

SEXUALLY AGGRESSIVE YOUTH--DEFINITION--YOUTH IN CARE
AND CUSTODY OF A TRIBE

EFFECTIVE DATE: 6/9/94

Passed by the House March 7, 1994
Yeas 95 Nays 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1994
Yeas 45 Nays 0

JOEL PRITCHARD

President of the Senate

Approved March 30, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2512** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

March 30, 1994 - 1:19 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 2512

AS AMENDED BY THE SENATE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By Representatives Leonard, Cooke, Thibaudeau, Karahalios, Sheldon, J. Kohl and King; by request of Department of Social and Health Services

Read first time 01/17/94. Referred to Committee on Human Services.

1 AN ACT Relating to sexually aggressive youth; and reenacting and
2 amending RCW 74.13.075.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 74.13.075 and 1993 c 402 s 3 and 1993 c 146 s 1 are
5 each reenacted and amended to read as follows:

6 (1) For the purposes of funds appropriated for the treatment of
7 sexually aggressive youth, the term "sexually aggressive youth" means
8 those (~~who are the subject of a proceeding under chapter 13.34 RCW~~
9 ~~or~~) juveniles who:

10 (a) Have been abused and have committed a sexually aggressive act
11 or other violent act that is sexual in nature; and

12 (i) Are in the care and custody of the state (~~and:~~

13 ~~(i) Have been abused; and~~

14 ~~(ii) Have committed a sexually aggressive or other violent act that~~
15 ~~is sexual in nature))~~ or a federally recognized Indian tribe located
16 within the state; or

17 (ii) Are the subject of a proceeding under chapter 13.34 RCW or a
18 child welfare proceeding held before a tribal court located within the
19 state; or

1 (b) Cannot be detained under the juvenile justice system due to
2 being under age twelve and incompetent to stand trial for acts that
3 could be prosecuted as sex offenses as defined by RCW 9.94A.030 if the
4 juvenile was over twelve years of age, or competent to stand trial if
5 under twelve years of age.

6 (2) In expending these funds, the department of social and health
7 services shall establish in each region a case review committee to
8 review all cases for which the funds are used. In determining whether
9 to use these funds in a particular case, the committee shall consider:

10 (a) The age of the juvenile;

11 (b) The extent and type of abuse to which the juvenile has been
12 subjected;

13 (c) The juvenile's past conduct;

14 (d) The benefits that can be expected from the treatment;

15 (e) The cost of the treatment; and

16 (f) The ability of the juvenile's parent or guardian to pay for the
17 treatment.

18 (3) The department may provide funds, under this section, for youth
19 in the care and custody of a tribe or through a tribal court, for the
20 treatment of sexually aggressive youth only if: (a) The tribe uses the
21 same or equivalent definitions and standards for determining which
22 youth are sexually aggressive; and (b) the department seeks to recover
23 any federal funds available for the treatment of youth.

Passed the House March 7, 1994.

Passed the Senate March 4, 1994.

Approved by the Governor March 30, 1994.

Filed in Office of Secretary of State March 30, 1994.