

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2906

Chapter 136, Laws of 2016

64th Legislature
2016 Regular Session

JUVENILE OFFENDERS--REHABILITATION AND REINTEGRATION

EFFECTIVE DATE: 6/9/2016

Passed by the House March 8, 2016
Yeas 82 Nays 14

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 4, 2016
Yeas 44 Nays 4

BRAD OWEN

President of the Senate

Approved March 31, 2016 4:36 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2906** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 1, 2016

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2906

AS AMENDED BY THE SENATE

Passed Legislature - 2016 Regular Session

State of Washington **64th Legislature** **2016 Regular Session**

By House Early Learning & Human Services (originally sponsored by Representatives Stambaugh, Kagi, Magendanz, Tharinger, Ortiz-Self, Frame, Goodman, and Ormsby)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to strengthening opportunities for the
2 rehabilitation and reintegration of juvenile offenders; and amending
3 RCW 13.40.010, 13.40.020, 13.40.127, 13.40.308, 10.99.030, 13.40.265,
4 9.41.040, 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070.

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

6 **Sec. 1.** RCW 13.40.010 and 2004 c 120 s 1 are each amended to
7 read as follows:

8 (1) This chapter shall be known and cited as the Juvenile Justice
9 Act of 1977.

10 (2) It is the intent of the legislature that a system capable of
11 having primary responsibility for, being accountable for, and
12 responding to the needs of youthful offenders and their victims, as
13 defined by this chapter, be established. It is the further intent of
14 the legislature that youth, in turn, be held accountable for their
15 offenses and that communities, families, and the juvenile courts
16 carry out their functions consistent with this intent. To effectuate
17 these policies, the legislature declares the following to be equally
18 important purposes of this chapter:

19 (a) Protect the citizenry from criminal behavior;

20 (b) Provide for determining whether accused juveniles have
21 committed offenses as defined by this chapter;

1 (c) Make the juvenile offender accountable for his or her
2 criminal behavior;

3 (d) Provide for punishment commensurate with the age, crime, and
4 criminal history of the juvenile offender;

5 (e) Provide due process for juveniles alleged to have committed
6 an offense;

7 (f) Provide for the rehabilitation and reintegration of juvenile
8 offenders;

9 (g) Provide necessary treatment, supervision, and custody for
10 juvenile offenders;

11 (~~(g)~~) (h) Provide for the handling of juvenile offenders by
12 communities whenever consistent with public safety;

13 (~~(h)~~) (i) Provide for restitution to victims of crime;

14 (~~(i)~~) (j) Develop effective standards and goals for the
15 operation, funding, and evaluation of all components of the juvenile
16 justice system and related services at the state and local levels;

17 (~~(j)~~) (k) Provide for a clear policy to determine what types of
18 offenders shall receive punishment, treatment, or both, and to
19 determine the jurisdictional limitations of the courts, institutions,
20 and community services;

21 (~~(k)~~) (l) Provide opportunities for victim participation in
22 juvenile justice process, including court hearings on juvenile
23 offender matters, and ensure that Article I, section 35 of the
24 Washington state Constitution, the victim bill of rights, is fully
25 observed; and

26 (~~(l)~~) (m) Encourage the parents, guardian, or custodian of the
27 juvenile to actively participate in the juvenile justice process.

28 **Sec. 2.** RCW 13.40.020 and 2014 c 110 s 1 are each amended to
29 read as follows:

30 For the purposes of this chapter:

31 (1) "Assessment" means an individualized examination of a child
32 to determine the child's psychosocial needs and problems, including
33 the type and extent of any mental health, substance abuse, or co-
34 occurring mental health and substance abuse disorders, and
35 recommendations for treatment. "Assessment" includes, but is not
36 limited to, drug and alcohol evaluations, psychological and
37 psychiatric evaluations, records review, clinical interview, and
38 administration of a formal test or instrument;

1 (2) "Community-based rehabilitation" means one or more of the
2 following: Employment; attendance of information classes; literacy
3 classes; counseling, outpatient substance abuse treatment programs,
4 outpatient mental health programs, anger management classes,
5 education or outpatient treatment programs to prevent animal cruelty,
6 or other services including, when appropriate, restorative justice
7 programs; or attendance at school or other educational programs
8 appropriate for the juvenile as determined by the school district.
9 Placement in community-based rehabilitation programs is subject to
10 available funds;

11 (3) "Community-based sanctions" may include one or more of the
12 following:

13 (a) A fine, not to exceed five hundred dollars;

14 (b) Community restitution not to exceed one hundred fifty hours
15 of community restitution;

16 (4) "Community restitution" means compulsory service, without
17 compensation, performed for the benefit of the community by the
18 offender as punishment for committing an offense. Community
19 restitution may be performed through public or private organizations
20 or through work crews;

21 (5) "Community supervision" means an order of disposition by the
22 court of an adjudicated youth not committed to the department or an
23 order granting a deferred disposition. A community supervision order
24 for a single offense may be for a period of up to two years for a sex
25 offense as defined by RCW 9.94A.030 and up to one year for other
26 offenses. As a mandatory condition of any term of community
27 supervision, the court shall order the juvenile to refrain from
28 committing new offenses. As a mandatory condition of community
29 supervision, the court shall order the juvenile to comply with the
30 mandatory school attendance provisions of chapter 28A.225 RCW and to
31 inform the school of the existence of this requirement. Community
32 supervision is an individualized program comprised of one or more of
33 the following:

34 (a) Community-based sanctions;

35 (b) Community-based rehabilitation;

36 (c) Monitoring and reporting requirements;

37 (d) Posting of a probation bond;

38 (6) "Confinement" means physical custody by the department of
39 social and health services in a facility operated by or pursuant to a
40 contract with the state, or physical custody in a detention facility

1 operated by or pursuant to a contract with any county. The county may
2 operate or contract with vendors to operate county detention
3 facilities. The department may operate or contract to operate
4 detention facilities for juveniles committed to the department.
5 Pretrial confinement or confinement of less than thirty-one days
6 imposed as part of a disposition or modification order may be served
7 consecutively or intermittently, in the discretion of the court;

8 (7) "Court," when used without further qualification, means the
9 juvenile court judge(s) or commissioner(s);

10 (8) "Criminal history" includes all criminal complaints against
11 the respondent for which, prior to the commission of a current
12 offense:

13 (a) The allegations were found correct by a court. If a
14 respondent is convicted of two or more charges arising out of the
15 same course of conduct, only the highest charge from among these
16 shall count as an offense for the purposes of this chapter; or

17 (b) The criminal complaint was diverted by a prosecutor pursuant
18 to the provisions of this chapter on agreement of the respondent and
19 after an advisement to the respondent that the criminal complaint
20 would be considered as part of the respondent's criminal history. A
21 successfully completed deferred adjudication that was entered before
22 July 1, 1998, or a deferred disposition shall not be considered part
23 of the respondent's criminal history;

24 (9) "Department" means the department of social and health
25 services;

26 (10) "Detention facility" means a county facility, paid for by
27 the county, for the physical confinement of a juvenile alleged to
28 have committed an offense or an adjudicated offender subject to a
29 disposition or modification order. "Detention facility" includes
30 county group homes, inpatient substance abuse programs, juvenile
31 basic training camps, and electronic monitoring;

32 (11) "Diversion unit" means any probation counselor who enters
33 into a diversion agreement with an alleged youthful offender, or any
34 other person, community accountability board, youth court under the
35 supervision of the juvenile court, or other entity except a law
36 enforcement official or entity, with whom the juvenile court
37 administrator has contracted to arrange and supervise such agreements
38 pursuant to RCW 13.40.080, or any person, community accountability
39 board, or other entity specially funded by the legislature to arrange
40 and supervise diversion agreements in accordance with the

1 requirements of this chapter. For purposes of this subsection,
2 "community accountability board" means a board comprised of members
3 of the local community in which the juvenile offender resides. The
4 superior court shall appoint the members. The boards shall consist of
5 at least three and not more than seven members. If possible, the
6 board should include a variety of representatives from the community,
7 such as a law enforcement officer, teacher or school administrator,
8 high school student, parent, and business owner, and should represent
9 the cultural diversity of the local community;

10 (12) "Foster care" means temporary physical care in a foster
11 family home or group care facility as defined in RCW 74.15.020 and
12 licensed by the department, or other legally authorized care;

13 (13) "Institution" means a juvenile facility established pursuant
14 to chapters 72.05 and 72.16 through 72.20 RCW;

15 (14) "Intensive supervision program" means a parole program that
16 requires intensive supervision and monitoring, offers an array of
17 individualized treatment and transitional services, and emphasizes
18 community involvement and support in order to reduce the likelihood a
19 juvenile offender will commit further offenses;

20 (15) "Juvenile," "youth," and "child" mean any individual who is
21 under the chronological age of eighteen years and who has not been
22 previously transferred to adult court pursuant to RCW 13.40.110,
23 unless the individual was convicted of a lesser charge or acquitted
24 of the charge for which he or she was previously transferred pursuant
25 to RCW 13.40.110 or who is not otherwise under adult court
26 jurisdiction;

27 (16) "Juvenile offender" means any juvenile who has been found by
28 the juvenile court to have committed an offense, including a person
29 eighteen years of age or older over whom jurisdiction has been
30 extended under RCW 13.40.300;

31 (17) "Labor" means the period of time before a birth during which
32 contractions are of sufficient frequency, intensity, and duration to
33 bring about effacement and progressive dilation of the cervix;

34 (18) "Local sanctions" means one or more of the following: (a)
35 0-30 days of confinement; (b) 0-12 months of community supervision;
36 (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

37 (19) "Manifest injustice" means a disposition that would either
38 impose an excessive penalty on the juvenile or would impose a
39 serious, and clear danger to society in light of the purposes of this
40 chapter;

1 (20) "Monitoring and reporting requirements" means one or more of
2 the following: Curfews; requirements to remain at home, school, work,
3 or court-ordered treatment programs during specified hours;
4 restrictions from leaving or entering specified geographical areas;
5 requirements to report to the probation officer as directed and to
6 remain under the probation officer's supervision; and other
7 conditions or limitations as the court may require which may not
8 include confinement;

9 (21) "Offense" means an act designated a violation or a crime if
10 committed by an adult under the law of this state, under any
11 ordinance of any city or county of this state, under any federal law,
12 or under the law of another state if the act occurred in that state;

13 (22) "Physical restraint" means the use of any bodily force or
14 physical intervention to control a juvenile offender or limit a
15 juvenile offender's freedom of movement in a way that does not
16 involve a mechanical restraint. Physical restraint does not include
17 momentary periods of minimal physical restriction by direct person-
18 to-person contact, without the aid of mechanical restraint,
19 accomplished with limited force and designed to:

20 (a) Prevent a juvenile offender from completing an act that would
21 result in potential bodily harm to self or others or damage property;

22 (b) Remove a disruptive juvenile offender who is unwilling to
23 leave the area voluntarily; or

24 (c) Guide a juvenile offender from one location to another;

25 (23) "Postpartum recovery" means (a) the entire period a woman or
26 youth is in the hospital, birthing center, or clinic after giving
27 birth and (b) an additional time period, if any, a treating physician
28 determines is necessary for healing after the youth leaves the
29 hospital, birthing center, or clinic;

30 (24) "Probation bond" means a bond, posted with sufficient
31 security by a surety justified and approved by the court, to secure
32 the offender's appearance at required court proceedings and
33 compliance with court-ordered community supervision or conditions of
34 release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means
35 a deposit of cash or posting of other collateral in lieu of a bond if
36 approved by the court;

37 (25) "Respondent" means a juvenile who is alleged or proven to
38 have committed an offense;

39 (26) "Restitution" means financial reimbursement by the offender
40 to the victim, and shall be limited to easily ascertainable damages

1 for injury to or loss of property, actual expenses incurred for
2 medical treatment for physical injury to persons, lost wages
3 resulting from physical injury, and costs of the victim's counseling
4 reasonably related to the offense. Restitution shall not include
5 reimbursement for damages for mental anguish, pain and suffering, or
6 other intangible losses. Nothing in this chapter shall limit or
7 replace civil remedies or defenses available to the victim or
8 offender;

9 (27) "Restorative justice" means practices, policies, and
10 programs informed by and sensitive to the needs of crime victims that
11 are designed to encourage offenders to accept responsibility for
12 repairing the harm caused by their offense by providing safe and
13 supportive opportunities for voluntary participation and
14 communication between the victim, the offender, their families, and
15 relevant community members;

16 (28) "Restraints" means anything used to control the movement of
17 a person's body or limbs and includes:

18 (a) Physical restraint; or

19 (b) Mechanical device including but not limited to: Metal
20 handcuffs, plastic ties, ankle restraints, leather cuffs, other
21 hospital-type restraints, tasers, or batons;

22 (29) "Screening" means a process that is designed to identify a
23 child who is at risk of having mental health, substance abuse, or co-
24 occurring mental health and substance abuse disorders that warrant
25 immediate attention, intervention, or more comprehensive assessment.
26 A screening may be undertaken with or without the administration of a
27 formal instrument;

28 (30) "Secretary" means the secretary of the department of social
29 and health services. "Assistant secretary" means the assistant
30 secretary for juvenile rehabilitation for the department;

31 (31) "Services" means services which provide alternatives to
32 incarceration for those juveniles who have pleaded or been
33 adjudicated guilty of an offense or have signed a diversion agreement
34 pursuant to this chapter;

35 (32) "Sex offense" means an offense defined as a sex offense in
36 RCW 9.94A.030;

37 (33) "Sexual motivation" means that one of the purposes for which
38 the respondent committed the offense was for the purpose of his or
39 her sexual gratification;

1 (34) "Surety" means an entity licensed under state insurance laws
2 or by the state department of licensing, to write corporate,
3 property, or probation bonds within the state, and justified and
4 approved by the superior court of the county having jurisdiction of
5 the case;

6 (35) "Transportation" means the conveying, by any means, of an
7 incarcerated pregnant youth from the institution or detention
8 facility to another location from the moment she leaves the
9 institution or detention facility to the time of arrival at the other
10 location, and includes the escorting of the pregnant incarcerated
11 youth from the institution or detention facility to a transport
12 vehicle and from the vehicle to the other location;

13 (36) "Violation" means an act or omission, which if committed by
14 an adult, must be proven beyond a reasonable doubt, and is punishable
15 by sanctions which do not include incarceration;

16 (37) "Violent offense" means a violent offense as defined in RCW
17 9.94A.030;

18 (38) "Youth court" means a diversion unit under the supervision
19 of the juvenile court.

20 **Sec. 3.** RCW 13.40.127 and 2015 c 265 s 26 are each amended to
21 read as follows:

22 (1) A juvenile is eligible for deferred disposition unless he or
23 she:

- 24 (a) Is charged with a sex or violent offense;
- 25 (b) Has a criminal history which includes any felony;
- 26 (c) Has a prior deferred disposition or deferred adjudication; or
- 27 (d) Has two or more adjudications.

28 (2) The juvenile court may, upon motion at least fourteen days
29 before commencement of trial and, after consulting the juvenile's
30 custodial parent or parents or guardian and with the consent of the
31 juvenile, continue the case for disposition for a period not to
32 exceed one year from the date the juvenile is found guilty. (~~The
33 court shall consider whether the offender and the community will
34 benefit from a deferred disposition before deferring the
35 disposition.~~) In all cases where the juvenile is eligible for a
36 deferred disposition, there shall be a strong presumption that the
37 deferred disposition will be granted. The court may waive the
38 fourteen-day period anytime before the commencement of trial for good
39 cause.

1 (3) Any juvenile who agrees to a deferral of disposition shall:

2 (a) Stipulate to the admissibility of the facts contained in the
3 written police report;

4 (b) Acknowledge that the report will be entered and used to
5 support a finding of guilt and to impose a disposition if the
6 juvenile fails to comply with terms of supervision;

7 (c) Waive the following rights to: (i) A speedy disposition; and
8 (ii) call and confront witnesses; and

9 (d) Acknowledge the direct consequences of being found guilty and
10 the direct consequences that will happen if an order of disposition
11 is entered.

12 The adjudicatory hearing shall be limited to a reading of the
13 court's record.

14 (4) Following the stipulation, acknowledgment, waiver, and entry
15 of a finding or plea of guilt, the court shall defer entry of an
16 order of disposition of the juvenile.

17 (5) Any juvenile granted a deferral of disposition under this
18 section shall be placed under community supervision. The court may
19 impose any conditions of supervision that it deems appropriate
20 including posting a probation bond. Payment of restitution under RCW
21 13.40.190 shall be a condition of community supervision under this
22 section.

23 The court may require a juvenile offender convicted of animal
24 cruelty in the first degree to submit to a mental health evaluation
25 to determine if the offender would benefit from treatment and such
26 intervention would promote the safety of the community. After
27 consideration of the results of the evaluation, as a condition of
28 community supervision, the court may order the offender to attend
29 treatment to address issues pertinent to the offense.

30 The court may require the juvenile to undergo a mental health or
31 substance abuse assessment, or both. If the assessment identifies a
32 need for treatment, conditions of supervision may include treatment
33 for the assessed need that has been demonstrated to improve
34 behavioral health and reduce recidivism.

35 The court shall require a juvenile granted a deferral of
36 disposition for unlawful possession of a firearm in violation of RCW
37 9.41.040 to participate in a qualifying program as described in RCW
38 13.40.193(2)(b), when available, unless the court makes a written
39 finding based on the outcome of the juvenile court risk assessment
40 that participation in a qualifying program would not be appropriate.

1 (6) A parent who signed for a probation bond has the right to
2 notify the counselor if the juvenile fails to comply with the bond or
3 conditions of supervision. The counselor shall notify the court and
4 surety of any failure to comply. A surety shall notify the court of
5 the juvenile's failure to comply with the probation bond. The state
6 shall bear the burden to prove, by a preponderance of the evidence,
7 that the juvenile has failed to comply with the terms of community
8 supervision.

9 (7)(a) Anytime prior to the conclusion of the period of
10 supervision, the prosecutor or the juvenile's juvenile court
11 community supervision counselor may file a motion with the court
12 requesting the court revoke the deferred disposition based on the
13 juvenile's lack of compliance or treat the juvenile's lack of
14 compliance as a violation pursuant to RCW 13.40.200.

15 (b) If the court finds the juvenile failed to comply with the
16 terms of the deferred disposition, the court may:

17 (i) Revoke the deferred disposition and enter an order of
18 disposition; or

19 (ii) Impose sanctions for the violation pursuant to RCW
20 13.40.200.

21 (8) At any time following deferral of disposition the court may,
22 following a hearing, continue supervision for an additional one-year
23 period for good cause.

24 (9)(a) At the conclusion of the period of supervision, the court
25 shall determine whether the juvenile is entitled to dismissal of the
26 deferred disposition only when the court finds:

27 (i) The deferred disposition has not been previously revoked;

28 (ii) The juvenile has completed the terms of supervision;

29 (iii) There are no pending motions concerning lack of compliance
30 pursuant to subsection (7) of this section; and

31 (iv) The juvenile has either paid the full amount of restitution,
32 or, made a good faith effort to pay the full amount of restitution
33 during the period of supervision.

34 (b) If the court finds the juvenile is entitled to dismissal of
35 the deferred disposition pursuant to (a) of this subsection, the
36 juvenile's conviction shall be vacated and the court shall dismiss
37 the case with prejudice, except that a conviction under RCW 16.52.205
38 shall not be vacated. Whenever a case is dismissed with restitution
39 still owing, the court shall enter a restitution order pursuant to
40 RCW 7.80.130 for any unpaid restitution. Jurisdiction to enforce

1 payment and modify terms of the restitution order shall be the same
2 as those set forth in RCW 7.80.130.

3 (c) If the court finds the juvenile is not entitled to dismissal
4 of the deferred disposition pursuant to (a) of this subsection, the
5 court shall revoke the deferred disposition and enter an order of
6 disposition. A deferred disposition shall remain a conviction unless
7 the case is dismissed and the conviction is vacated pursuant to (b)
8 of this subsection or sealed pursuant to RCW 13.50.260.

9 (10)(a)(i) Any time the court vacates a conviction pursuant to
10 subsection (9) of this section, if the juvenile is eighteen years of
11 age or older and the full amount of restitution owing to the
12 individual victim named in the restitution order, excluding
13 restitution owed to any insurance provider authorized under Title 48
14 RCW has been paid, the court shall enter a written order sealing the
15 case.

16 (ii) Any time the court vacates a conviction pursuant to
17 subsection (9) of this section, if the juvenile is not eighteen years
18 of age or older and full restitution ordered has been paid, the court
19 shall schedule an administrative sealing hearing to take place no
20 later than thirty days after the respondent's eighteenth birthday, at
21 which time the court shall enter a written order sealing the case.
22 The respondent's presence at the administrative sealing hearing is
23 not required.

24 (iii) Any deferred disposition vacated prior to June 7, 2012, is
25 not subject to sealing under this subsection.

26 (b) Nothing in this subsection shall preclude a juvenile from
27 petitioning the court to have the records of his or her deferred
28 dispositions sealed under RCW 13.50.260.

29 (c) Records sealed under this provision shall have the same legal
30 status as records sealed under RCW 13.50.260.

31 **Sec. 4.** RCW 13.40.308 and 2009 c 454 s 4 are each amended to
32 read as follows:

33 (1) If a respondent is adjudicated of taking a motor vehicle
34 without permission in the first degree as defined in RCW 9A.56.070,
35 the court shall impose the following minimum sentence, in addition to
36 any restitution the court may order payable to the victim:

37 (a) Juveniles with a prior criminal history score of zero to one-
38 half points shall be sentenced to a standard range sentence that
39 includes no less than three months of community supervision,

1 forty-five hours of community restitution, (~~a two hundred dollar~~
2 ~~fine,~~) and a requirement that the juvenile remain at home such that
3 the juvenile is confined to a private residence for no less than five
4 days. The juvenile may be subject to electronic monitoring where
5 available. If the juvenile is enrolled in school, the confinement
6 shall be served on nonschool days;

7 (b) Juveniles with a prior criminal history score of three-
8 quarters to one and one-half points shall be sentenced to a standard
9 range sentence that includes six months of community supervision, no
10 less than ten days of detention, and ninety hours of community
11 restitution(~~, and a four hundred dollar fine~~); and

12 (c) Juveniles with a prior criminal history score of two or more
13 points shall be sentenced to no less than fifteen to thirty-six weeks
14 commitment to the juvenile rehabilitation administration, four months
15 of parole supervision, and ninety hours of community restitution(~~, and a four hundred dollar fine~~)).

17 (2) If a respondent is adjudicated of theft of a motor vehicle as
18 defined under RCW 9A.56.065, or possession of a stolen vehicle as
19 defined under RCW 9A.56.068, the court shall impose the following
20 minimum sentence, in addition to any restitution the court may order
21 payable to the victim:

22 (a) Juveniles with a prior criminal history score of zero to one-
23 half points shall be sentenced to a standard range sentence that
24 includes no less than three months of community supervision(~~, forty-~~
25 ~~five hours of community restitution, a two hundred dollar fine,~~) and
26 either ninety hours of community restitution or a requirement that
27 the juvenile remain at home such that the juvenile is confined in a
28 private residence for no less than five days, or a combination
29 thereof that includes a minimum of three days home confinement and a
30 minimum of forty hours of community restitution. The juvenile may be
31 subject to electronic monitoring where available;

32 (b) Juveniles with a prior criminal history score of three-
33 quarters to one and one-half points shall be sentenced to a standard
34 range sentence that includes no less than six months of community
35 supervision, no less than ten days of detention, and ninety hours of
36 community restitution(~~, and a four hundred dollar fine~~); and

37 (c) Juveniles with a prior criminal history score of two or more
38 points shall be sentenced to no less than fifteen to thirty-six weeks
39 commitment to the juvenile rehabilitation administration, four months

1 of parole supervision, and ninety hours of community restitution(~~(7~~
2 ~~and a four hundred dollar fine)~~)).

3 (3) If a respondent is adjudicated of taking a motor vehicle
4 without permission in the second degree as defined in RCW 9A.56.075,
5 the court shall impose a standard range as follows:

6 (a) Juveniles with a prior criminal history score of zero to one-
7 half points shall be sentenced to a standard range sentence that
8 includes three months of community supervision, fifteen hours of
9 community restitution, and a requirement that the juvenile remain at
10 home such that the juvenile is confined in a private residence for no
11 less than one day. If the juvenile is enrolled in school, the
12 confinement shall be served on nonschool days. The juvenile may be
13 subject to electronic monitoring where available;

14 (b) Juveniles with a prior criminal history score of three-
15 quarters to one and one-half points shall be sentenced to a standard
16 range sentence that includes no less than one day of detention, three
17 months of community supervision, thirty hours of community
18 restitution, (~~(a one hundred fifty dollar fine,)~~) and a requirement
19 that the juvenile remain at home such that the juvenile is confined
20 in a private residence for no less than two days. If the juvenile is
21 enrolled in school, the confinement shall be served on nonschool
22 days. The juvenile may be subject to electronic monitoring where
23 available; and

24 (c) Juveniles with a prior criminal history score of two or more
25 points shall be sentenced to no less than three days of detention,
26 six months of community supervision, forty-five hours of community
27 restitution, (~~(a one hundred fifty dollar fine,)~~) and a requirement
28 that the juvenile remain at home such that the juvenile is confined
29 in a private residence for no less than seven days. If the juvenile
30 is enrolled in school, the confinement shall be served on nonschool
31 days. The juvenile may be subject to electronic monitoring where
32 available.

33 **Sec. 5.** RCW 10.99.030 and 1996 c 248 s 6 are each amended to
34 read as follows:

35 (1) All training relating to the handling of domestic violence
36 complaints by law enforcement officers shall stress enforcement of
37 criminal laws in domestic situations, availability of community
38 resources, and protection of the victim. Law enforcement agencies and

1 community organizations with expertise in the issue of domestic
2 violence shall cooperate in all aspects of such training.

3 (2) The criminal justice training commission shall implement by
4 January 1, 1997, a course of instruction for the training of law
5 enforcement officers in Washington in the handling of domestic
6 violence complaints. The basic law enforcement curriculum of the
7 criminal justice training commission shall include at least twenty
8 hours of basic training instruction on the law enforcement response
9 to domestic violence. The course of instruction, the learning and
10 performance objectives, and the standards for the training shall be
11 developed by the commission and focus on enforcing the criminal laws,
12 safety of the victim, and holding the perpetrator accountable for the
13 violence. The curriculum shall include training on the extent and
14 prevalence of domestic violence, the importance of criminal justice
15 intervention, techniques for responding to incidents that minimize
16 the likelihood of officer injury and that promote victim safety,
17 investigation and interviewing skills, evidence gathering and report
18 writing, assistance to and services for victims and children,
19 verification and enforcement of court orders, liability, and any
20 additional provisions that are necessary to carry out the intention
21 of this subsection.

22 (3) The criminal justice training commission shall develop and
23 update annually an in-service training program to familiarize law
24 enforcement officers with the domestic violence laws. The program
25 shall include techniques for handling incidents of domestic violence
26 that minimize the likelihood of injury to the officer and that
27 promote the safety of all parties. The commission shall make the
28 training program available to all law enforcement agencies in the
29 state.

30 (4) Development of the training in subsections (2) and (3) of
31 this section shall be conducted in conjunction with agencies having a
32 primary responsibility for serving victims of domestic violence with
33 emergency shelter and other services, and representatives to the
34 statewide organization providing training and education to these
35 organizations and to the general public.

36 (5) The primary duty of peace officers, when responding to a
37 domestic violence situation, is to enforce the laws allegedly
38 violated and to protect the complaining party.

39 (6)(a) When a peace officer responds to a domestic violence call
40 and has probable cause to believe that a crime has been committed,

1 the peace officer shall exercise arrest powers with reference to the
2 criteria in RCW 10.31.100. The officer shall notify the victim of the
3 victim's right to initiate a criminal proceeding in all cases where
4 the officer has not exercised arrest powers or decided to initiate
5 criminal proceedings by citation or otherwise. The parties in such
6 cases shall also be advised of the importance of preserving evidence.

7 (b) A peace officer responding to a domestic violence call shall
8 take a complete offense report including the officer's disposition of
9 the case.

10 (7) When a peace officer responds to a domestic violence call,
11 the officer shall advise victims of all reasonable means to prevent
12 further abuse, including advising each person of the availability of
13 a shelter or other services in the community, and giving each person
14 immediate notice of the legal rights and remedies available. The
15 notice shall include handing each person a copy of the following
16 statement:

17 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the
18 city or county prosecuting attorney to file a criminal
19 complaint. You also have the right to file a petition in
20 superior, district, or municipal court requesting an order
21 for protection from domestic abuse which could include any of
22 the following: (a) An order restraining your abuser from
23 further acts of abuse; (b) an order directing your abuser to
24 leave your household; (c) an order preventing your abuser
25 from entering your residence, school, business, or place of
26 employment; (d) an order awarding you or the other parent
27 custody of or visitation with your minor child or children;
28 and (e) an order restraining your abuser from molesting or
29 interfering with minor children in your custody. The forms
30 you need to obtain a protection order are available in any
31 municipal, district, or superior court.

32 Information about shelters and alternatives to domestic
33 violence is available from a statewide twenty-four-hour toll-
34 free hot line at (include appropriate phone number). The
35 battered women's shelter and other resources in your area
36 are (include local information)"

37 (8) The peace officer may offer, arrange, or facilitate
38 transportation for the victim to a hospital for treatment of injuries
39 or to a place of safety or shelter.

1 (9) The law enforcement agency shall forward the offense report
2 to the appropriate prosecutor within ten days of making such report
3 if there is probable cause to believe that an offense has been
4 committed, unless the case is under active investigation. Upon
5 receiving the offense report, the prosecuting agency may, in its
6 discretion, choose not to file the information as a domestic violence
7 offense, if the offense was committed against a sibling, parent,
8 stepparent, or grandparent.

9 (10) Each law enforcement agency shall make as soon as
10 practicable a written record and shall maintain records of all
11 incidents of domestic violence reported to it.

12 (11) Records kept pursuant to subsections (6) and (10) of this
13 section shall be made identifiable by means of a departmental code
14 for domestic violence.

15 (12) Commencing January 1, 1994, records of incidents of domestic
16 violence shall be submitted, in accordance with procedures described
17 in this subsection, to the Washington association of sheriffs and
18 police chiefs by all law enforcement agencies. The Washington
19 criminal justice training commission shall amend its contract for
20 collection of statewide crime data with the Washington association of
21 sheriffs and police chiefs:

22 (a) To include a table, in the annual report of crime in
23 Washington produced by the Washington association of sheriffs and
24 police chiefs pursuant to the contract, showing the total number of
25 actual offenses and the number and percent of the offenses that are
26 domestic violence incidents for the following crimes: (i) Criminal
27 homicide, with subtotals for murder and nonnegligent homicide and
28 manslaughter by negligence; (ii) forcible rape, with subtotals for
29 rape by force and attempted forcible rape; (iii) robbery, with
30 subtotals for firearm, knife or cutting instrument, or other
31 dangerous weapon, and strongarm robbery; (iv) assault, with subtotals
32 for firearm, knife or cutting instrument, other dangerous weapon,
33 hands, feet, aggravated, and other nonaggravated assaults; (v)
34 burglary, with subtotals for forcible entry, nonforcible unlawful
35 entry, and attempted forcible entry; (vi) larceny theft, except motor
36 vehicle theft; (vii) motor vehicle theft, with subtotals for autos,
37 trucks and buses, and other vehicles; (viii) arson; and (ix)
38 violations of the provisions of a protection order or no-contact
39 order restraining the person from going onto the grounds of or
40 entering a residence, workplace, school, or day care, provided that

1 specific appropriations are subsequently made for the collection and
2 compilation of data regarding violations of protection orders or no-
3 contact orders;

4 (b) To require that the table shall continue to be prepared and
5 contained in the annual report of crime in Washington until that time
6 as comparable or more detailed information about domestic violence
7 incidents is available through the Washington state incident based
8 reporting system and the information is prepared and contained in the
9 annual report of crime in Washington; and

10 (c) To require that, in consultation with interested persons, the
11 Washington association of sheriffs and police chiefs prepare and
12 disseminate procedures to all law enforcement agencies in the state
13 as to how the agencies shall code and report domestic violence
14 incidents to the Washington association of sheriffs and police
15 chiefs.

16 **Sec. 6.** RCW 13.40.265 and 2003 c 53 s 101 are each amended to
17 read as follows:

18 (1)~~((a))~~ If a juvenile thirteen years of age or older is found
19 by juvenile court to have committed an offense while armed with a
20 firearm or an offense that is a violation of RCW 9.41.040(2)(a)
21 ~~((iii))~~ (iv) or chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
22 court shall notify the department of licensing within twenty-four
23 hours after entry of the judgment, unless the offense is the
24 juvenile's first offense while armed with a firearm, first unlawful
25 possession of a firearm offense, or first offense in violation of
26 chapter 66.44, 69.41, 69.50, or 69.52 RCW.

27 ~~((b))~~ (2) Except as otherwise provided in ~~((c) of this)~~
28 subsection (3) of this section, upon petition of a juvenile who has
29 been found by the court to have committed an offense that is a
30 violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court may
31 at any time the court deems appropriate notify the department of
32 licensing that the juvenile's driving privileges should be
33 reinstated.

34 ~~((c) If the offense is the juvenile's first violation of chapter~~
35 ~~66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the~~
36 ~~court for reinstatement of the juvenile's privilege to drive revoked~~
37 ~~pursuant to RCW 46.20.265 until ninety days after the date the~~
38 ~~juvenile turns sixteen or ninety days after the judgment was entered,~~
39 ~~whichever is later.)) (3) If the offense is the juvenile's second or~~

1 subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW,
2 the juvenile may not petition the court for reinstatement of the
3 juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until
4 the date the juvenile turns seventeen or one year after the date
5 judgment was entered, whichever is later.

6 ~~((2)(a) If a juvenile enters into a diversion agreement with a
7 diversion unit pursuant to RCW 13.40.080 concerning an offense that
8 is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the
9 diversion unit shall notify the department of licensing within
10 twenty-four hours after the diversion agreement is signed.~~

11 ~~(b) If a diversion unit has notified the department pursuant to
12 (a) of this subsection, the diversion unit shall notify the
13 department of licensing when the juvenile has completed the
14 agreement.))~~

15 **Sec. 7.** RCW 9.41.040 and 2014 c 111 s 1 are each amended to read
16 as follows:

17 (1)(a) A person, whether an adult or juvenile, is guilty of the
18 crime of unlawful possession of a firearm in the first degree, if the
19 person owns, has in his or her possession, or has in his or her
20 control any firearm after having previously been convicted or found
21 not guilty by reason of insanity in this state or elsewhere of any
22 serious offense as defined in this chapter.

23 (b) Unlawful possession of a firearm in the first degree is a
24 class B felony punishable according to chapter 9A.20 RCW.

25 (2)(a) A person, whether an adult or juvenile, is guilty of the
26 crime of unlawful possession of a firearm in the second degree, if
27 the person does not qualify under subsection (1) of this section for
28 the crime of unlawful possession of a firearm in the first degree and
29 the person owns, has in his or her possession, or has in his or her
30 control any firearm:

31 (i) After having previously been convicted or found not guilty by
32 reason of insanity in this state or elsewhere of any felony not
33 specifically listed as prohibiting firearm possession under
34 subsection (1) of this section, or any of the following crimes when
35 committed by one family or household member against another,
36 committed on or after July 1, 1993: Assault in the fourth degree,
37 coercion, stalking, reckless endangerment, criminal trespass in the
38 first degree, or violation of the provisions of a protection order or

1 no-contact order restraining the person or excluding the person from
2 a residence (RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040);

3 (ii) During any period of time that the person is subject to a
4 court order issued under chapter 7.90, 7.92, 9A.46, 10.14, 10.99,
5 26.09, 26.10, 26.26, or 26.50 RCW that:

6 (A) Was issued after a hearing of which the person received
7 actual notice, and at which the person had an opportunity to
8 participate;

9 (B) Restrains the person from harassing, stalking, or threatening
10 an intimate partner of the person or child of the intimate partner or
11 person, or engaging in other conduct that would place an intimate
12 partner in reasonable fear of bodily injury to the partner or child;
13 and

14 (C)(I) Includes a finding that the person represents a credible
15 threat to the physical safety of the intimate partner or child; and

16 (II) By its terms, explicitly prohibits the use, attempted use,
17 or threatened use of physical force against the intimate partner or
18 child that would reasonably be expected to cause bodily injury;

19 (iii) After having previously been involuntarily committed for
20 mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740,
21 71.34.750, chapter 10.77 RCW, or equivalent statutes of another
22 jurisdiction, unless his or her right to possess a firearm has been
23 restored as provided in RCW 9.41.047;

24 (iv) If the person is under eighteen years of age, except as
25 provided in RCW 9.41.042; and/or

26 (v) If the person is free on bond or personal recognizance
27 pending trial, appeal, or sentencing for a serious offense as defined
28 in RCW 9.41.010.

29 (b) Unlawful possession of a firearm in the second degree is a
30 class C felony punishable according to chapter 9A.20 RCW.

31 (3) Notwithstanding RCW 9.41.047 or any other provisions of law,
32 as used in this chapter, a person has been "convicted", whether in an
33 adult court or adjudicated in a juvenile court, at such time as a
34 plea of guilty has been accepted, or a verdict of guilty has been
35 filed, notwithstanding the pendency of any future proceedings
36 including but not limited to sentencing or disposition, post-trial or
37 post-fact-finding motions, and appeals. Conviction includes a
38 dismissal entered after a period of probation, suspension or deferral
39 of sentence, and also includes equivalent dispositions by courts in
40 jurisdictions other than Washington state. A person shall not be

1 precluded from possession of a firearm if the conviction has been the
2 subject of a pardon, annulment, certificate of rehabilitation, or
3 other equivalent procedure based on a finding of the rehabilitation
4 of the person convicted or the conviction or disposition has been the
5 subject of a pardon, annulment, or other equivalent procedure based
6 on a finding of innocence. Where no record of the court's disposition
7 of the charges can be found, there shall be a rebuttable presumption
8 that the person was not convicted of the charge.

9 (4)(a) Notwithstanding subsection (1) or (2) of this section, a
10 person convicted or found not guilty by reason of insanity of an
11 offense prohibiting the possession of a firearm under this section
12 other than murder, manslaughter, robbery, rape, indecent liberties,
13 arson, assault, kidnapping, extortion, burglary, or violations with
14 respect to controlled substances under RCW 69.50.401 and 69.50.410,
15 who received a probationary sentence under RCW 9.95.200, and who
16 received a dismissal of the charge under RCW 9.95.240, shall not be
17 precluded from possession of a firearm as a result of the conviction
18 or finding of not guilty by reason of insanity. Notwithstanding any
19 other provisions of this section, if a person is prohibited from
20 possession of a firearm under subsection (1) or (2) of this section
21 and has not previously been convicted or found not guilty by reason
22 of insanity of a sex offense prohibiting firearm ownership under
23 subsection (1) or (2) of this section and/or any felony defined under
24 any law as a class A felony or with a maximum sentence of at least
25 twenty years, or both, the individual may petition a court of record
26 to have his or her right to possess a firearm restored:

27 (i) Under RCW 9.41.047; and/or

28 (ii)(A) If the conviction or finding of not guilty by reason of
29 insanity was for a felony offense, after five or more consecutive
30 years in the community without being convicted or found not guilty by
31 reason of insanity or currently charged with any felony, gross
32 misdemeanor, or misdemeanor crimes, if the individual has no prior
33 felony convictions that prohibit the possession of a firearm counted
34 as part of the offender score under RCW 9.94A.525; or

35 (B) If the conviction or finding of not guilty by reason of
36 insanity was for a nonfelony offense, after three or more consecutive
37 years in the community without being convicted or found not guilty by
38 reason of insanity or currently charged with any felony, gross
39 misdemeanor, or misdemeanor crimes, if the individual has no prior
40 felony convictions that prohibit the possession of a firearm counted

1 as part of the offender score under RCW 9.94A.525 and the individual
2 has completed all conditions of the sentence.

3 (b) An individual may petition a court of record to have his or
4 her right to possess a firearm restored under (a) of this subsection
5 (4) only at:

6 (i) The court of record that ordered the petitioner's prohibition
7 on possession of a firearm; or

8 (ii) The superior court in the county in which the petitioner
9 resides.

10 (5) In addition to any other penalty provided for by law, if a
11 person under the age of eighteen years is found by a court to have
12 possessed a firearm in a vehicle in violation of subsection (1) or
13 (2) of this section or to have committed an offense while armed with
14 a firearm during which offense a motor vehicle served an integral
15 function, the court shall notify the department of licensing within
16 twenty-four hours and the person's privilege to drive shall be
17 revoked under RCW 46.20.265, unless the offense is the juvenile's
18 first offense in violation of this section and has not committed an
19 offense while armed with a firearm, an unlawful possession of a
20 firearm offense, or an offense in violation of chapter 66.44, 69.52,
21 69.41, or 69.50 RCW.

22 (6) Nothing in chapter 129, Laws of 1995 shall ever be construed
23 or interpreted as preventing an offender from being charged and
24 subsequently convicted for the separate felony crimes of theft of a
25 firearm or possession of a stolen firearm, or both, in addition to
26 being charged and subsequently convicted under this section for
27 unlawful possession of a firearm in the first or second degree.
28 Notwithstanding any other law, if the offender is convicted under
29 this section for unlawful possession of a firearm in the first or
30 second degree and for the felony crimes of theft of a firearm or
31 possession of a stolen firearm, or both, then the offender shall
32 serve consecutive sentences for each of the felony crimes of
33 conviction listed in this subsection.

34 (7) Each firearm unlawfully possessed under this section shall be
35 a separate offense.

36 (8) For purposes of this section, "intimate partner" includes: A
37 spouse, a domestic partner, a former spouse, a former domestic
38 partner, a person with whom the restrained person has a child in
39 common, or a person with whom the restrained person has cohabitated
40 or is cohabitating as part of a dating relationship.

1 **Sec. 8.** RCW 46.20.265 and 2005 c 288 s 2 are each amended to
2 read as follows:

3 (1) In addition to any other authority to revoke driving
4 privileges under this chapter, the department shall revoke all
5 driving privileges of a juvenile when the department receives notice
6 from a court pursuant to RCW 9.41.040(5), 13.40.265, 66.44.365,
7 69.41.065, 69.50.420, 69.52.070, or a substantially similar municipal
8 ordinance adopted by a local legislative authority, or from a
9 diversion unit pursuant to RCW 13.40.265.

10 (2) The driving privileges of the juvenile revoked under
11 subsection (1) of this section shall be revoked in the following
12 manner:

13 (a) Upon receipt of the first notice, the department shall impose
14 a revocation for one year, or until the juvenile reaches seventeen
15 years of age, whichever is longer.

16 (b) Upon receipt of a second or subsequent notice, the department
17 shall impose a revocation for two years or until the juvenile reaches
18 eighteen years of age, whichever is longer.

19 (c) Each offense for which the department receives notice shall
20 result in a separate period of revocation. All periods of revocation
21 imposed under this section that could otherwise overlap shall run
22 consecutively up to the juvenile's twenty-first birthday, and no
23 period of revocation imposed under this section shall begin before
24 the expiration of all other periods of revocation imposed under this
25 section or other law. Periods of revocation imposed consecutively
26 under this section shall not extend beyond the juvenile's twenty-
27 first birthday.

28 (3)(a) If the department receives notice from a court that the
29 juvenile's privilege to drive should be reinstated, the department
30 shall immediately reinstate any driving privileges that have been
31 revoked under this section if the minimum term of revocation as
32 specified in RCW 13.40.265(~~((1)(e))~~) (3), 66.44.365(3), 69.41.065(3),
33 69.50.420(3), 69.52.070(3), or similar ordinance has expired, and
34 subject to subsection (2)(c) of this section.

35 (b) The juvenile may seek reinstatement of his or her driving
36 privileges from the department when the juvenile reaches the age of
37 twenty-one. A notice from the court reinstating the juvenile's
38 driving privilege shall not be required if reinstatement is pursuant
39 to this subsection.

1 ~~((4)(a) If the department receives notice pursuant to RCW~~
2 ~~13.40.265(2)(b) from a diversion unit that a juvenile has completed a~~
3 ~~diversion agreement for which the juvenile's driving privileges were~~
4 ~~revoked, the department shall reinstate any driving privileges~~
5 ~~revoked under this section as provided in (b) of this subsection,~~
6 ~~subject to subsection (2)(c) of this section.~~

7 ~~(b) If the diversion agreement was for the juvenile's first~~
8 ~~violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the~~
9 ~~department shall not reinstate the juvenile's privilege to drive~~
10 ~~until the later of ninety days after the date the juvenile turns~~
11 ~~sixteen or ninety days after the juvenile entered into a diversion~~
12 ~~agreement for the offense. If the diversion agreement was for the~~
13 ~~juvenile's second or subsequent violation of chapter 66.44, 69.41,~~
14 ~~69.50, or 69.52 RCW, the department shall not reinstate the~~
15 ~~juvenile's privilege to drive until the later of the date the~~
16 ~~juvenile turns seventeen or one year after the juvenile entered into~~
17 ~~the second or subsequent diversion agreement.))~~

18 **Sec. 9.** RCW 66.44.365 and 1989 c 271 s 118 are each amended to
19 read as follows:

20 (1) If a juvenile thirteen years of age or older and under the
21 age of eighteen is found by a court to have committed any offense
22 that is a violation of this chapter, the court shall notify the
23 department of licensing within twenty-four hours after entry of the
24 judgment, unless the offense is the juvenile's first offense in
25 violation of this chapter and has not committed an offense while
26 armed with a firearm, an unlawful possession of a firearm offense, or
27 an offense in violation of chapter 69.41, 69.50, or 69.52 RCW.

28 (2) Except as otherwise provided in subsection (3) of this
29 section, upon petition of a juvenile whose privilege to drive has
30 been revoked pursuant to RCW 46.20.265, the court may notify the
31 department of licensing that the juvenile's privilege to drive should
32 be reinstated.

33 (3) If the conviction is for the juvenile's first violation of
34 this chapter or chapter 69.41, 69.50, or 69.52 RCW, a juvenile may
35 not petition the court for reinstatement of the juvenile's privilege
36 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
37 days after the date the juvenile turns sixteen or ninety days after
38 the judgment was entered. If the conviction was for the juvenile's
39 second or subsequent violation of this chapter or chapter 69.41,

1 69.50, or 69.52 RCW, the juvenile may not petition the court for
2 reinstatement of the juvenile's privilege to drive revoked pursuant
3 to RCW 46.20.265 until the later of the date the juvenile turns
4 seventeen or one year after the date judgment was entered.

5 **Sec. 10.** RCW 69.41.065 and 1989 c 271 s 119 are each amended to
6 read as follows:

7 (1) If a juvenile thirteen years of age or older and under the
8 age of twenty-one is found by a court to have committed any offense
9 that is a violation of this chapter, the court shall notify the
10 department of licensing within twenty-four hours after entry of the
11 judgment, unless the offense is the juvenile's first offense in
12 violation of this chapter and has not committed an offense while
13 armed with a firearm, an unlawful possession of a firearm offense, or
14 an offense in violation of chapter 66.44, 69.50, or 69.52 RCW.

15 (2) Except as otherwise provided in subsection (3) of this
16 section, upon petition of a juvenile whose privilege to drive has
17 been revoked pursuant to RCW 46.20.265, the court may notify the
18 department of licensing that the juvenile's privilege to drive should
19 be reinstated.

20 (3) If the conviction is for the juvenile's first violation of
21 this chapter or chapter 66.44, 69.50, or 69.52 RCW, the juvenile may
22 not petition the court for reinstatement of the juvenile's privilege
23 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
24 days after the date the juvenile turns sixteen or ninety days after
25 the judgment was entered. If the conviction was for the juvenile's
26 second or subsequent violation of this chapter or chapter 66.44,
27 69.50, or 69.52 RCW, the juvenile may not petition the court for
28 reinstatement of the juvenile's privilege to drive revoked pursuant
29 to RCW 46.20.265 until the later of the date the juvenile turns
30 seventeen or one year after the date judgment was entered.

31 **Sec. 11.** RCW 69.50.420 and 1989 c 271 s 120 are each amended to
32 read as follows:

33 (1) If a juvenile thirteen years of age or older and under the
34 age of twenty-one is found by a court to have committed any offense
35 that is a violation of this chapter, the court shall notify the
36 department of licensing within twenty-four hours after entry of the
37 judgment, unless the offense is the juvenile's first offense in
38 violation of this chapter and has not committed an offense while

1 armed with a firearm, an unlawful possession of a firearm offense, or
2 an offense in violation of chapter 66.44, 69.41, or 69.52 RCW.

3 (2) Except as otherwise provided in subsection (3) of this
4 section, upon petition of a juvenile whose privilege to drive has
5 been revoked pursuant to RCW 46.20.265, the court may at any time the
6 court deems appropriate notify the department of licensing to
7 reinstate the juvenile's privilege to drive.

8 (3) If the conviction is for the juvenile's first violation of
9 this chapter or chapter 66.44, 69.41, or 69.52 RCW, the juvenile may
10 not petition the court for reinstatement of the juvenile's privilege
11 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
12 days after the date the juvenile turns sixteen or ninety days after
13 the judgment was entered. If the conviction was for the juvenile's
14 second or subsequent violation of this chapter or chapter 66.44,
15 69.41, or 69.52 RCW, the juvenile may not petition the court for
16 reinstatement of the juvenile's privilege to drive revoked pursuant
17 to RCW 46.20.265 until the later of the date the juvenile turns
18 seventeen or one year after the date judgment was entered.

19 **Sec. 12.** RCW 69.52.070 and 1989 c 271 s 121 are each amended to
20 read as follows:

21 (1) If a juvenile thirteen years of age or older and under the
22 age of twenty-one is found by a court to have committed any offense
23 that is a violation of this chapter, the court shall notify the
24 department of licensing within twenty-four hours after entry of the
25 judgment, unless the offense is the juvenile's first offense in
26 violation of this chapter and has not committed an offense while
27 armed with a firearm, an unlawful possession of a firearm offense, or
28 an offense in violation of chapter 66.44, 69.41, or 69.50 RCW.

29 (2) Except as otherwise provided in subsection (3) of this
30 section, upon petition of a juvenile whose privilege to drive has
31 been revoked pursuant to RCW 46.20.265, the court may at any time the
32 court deems appropriate notify the department of licensing to
33 reinstate the juvenile's privilege to drive.

34 (3) If the conviction is for the juvenile's first violation of
35 this chapter or chapter 66.44, 69.41, or 69.50 RCW, the juvenile may
36 not petition the court for reinstatement of the juvenile's privilege
37 to drive revoked pursuant to RCW 46.20.265 until the later of ninety
38 days after the date the juvenile turns sixteen or ninety days after
39 the judgment was entered. If the conviction was for the juvenile's

1 second or subsequent violation of this chapter or chapter 66.44,
2 69.41, or 69.50 RCW, the juvenile may not petition the court for
3 reinstatement of the juvenile's privilege to drive revoked pursuant
4 to RCW 46.20.265 until the later of the date the juvenile turns
5 seventeen or one year after the date judgment was entered.

Passed by the House March 8, 2016.

Passed by the Senate March 4, 2016.

Approved by the Governor March 31, 2016.

Filed in Office of Secretary of State April 1, 2016.

--- END ---