

**SHB 2907 - H AMD 1302**

By Representative Goodman

ADOPTED 02/28/2018

1 On page 9, after line 19, insert the following:

2 "Sec. 6. RCW 13.40.300 and 2005 c 238 s 2 are each amended to  
3 read as follows:

4 (1) (~~In no case may~~) Except as provided in subsection (2) of  
5 this section, a juvenile offender may not be committed by the  
6 juvenile court to the department of social and health services for  
7 placement in a juvenile correctional institution beyond the juvenile  
8 offender's twenty-first birthday.

9 (2)(a) A juvenile offender convicted of an A++ juvenile  
10 disposition category offense listed in RCW 13.40.0357, or found to be  
11 armed with a firearm and sentenced to an additional twelve months  
12 pursuant to RCW 13.40.193(3)(b), may be committed by the juvenile  
13 court to the department of social and health services for placement  
14 in a juvenile correctional institution up to the juvenile offender's  
15 twenty-fifth birthday, but not beyond.

16 (b) A juvenile offender adjudicated of a serious violent offense  
17 as defined under RCW 9.94A.030 may be committed by the juvenile court  
18 to the department of social and health services for placement in a  
19 correctional institution up to the time the juvenile offender is age  
20 twenty-five and one-half years old, but not beyond.

21 (3) A juvenile may be under the jurisdiction of the juvenile  
22 court or the authority of the department of social and health  
23 services beyond the juvenile's eighteenth birthday only if prior to  
24 the juvenile's eighteenth birthday:

25 (a) Proceedings are pending seeking the adjudication of a  
26 juvenile offense and the court by written order setting forth its  
27 reasons extends jurisdiction of juvenile court over the juvenile  
28 beyond his or her eighteenth birthday, except:

29 (i) If the court enters a written order extending jurisdiction  
30 under this subsection, it shall not extend jurisdiction beyond the  
31 juvenile's twenty-first birthday;

1 (ii) If the order fails to specify a specific date, it shall be  
2 presumed that jurisdiction is extended to age twenty-one; and

3 (iii) If the juvenile court previously extended jurisdiction  
4 beyond the juvenile's eighteenth birthday, and that period of  
5 extension has not expired, the court may further extend jurisdiction  
6 by written order setting forth its reasons;

7 (b) The juvenile has been found guilty after a fact finding or  
8 after a plea of guilty and an automatic extension is necessary to  
9 allow for the imposition of disposition;

10 (c) Disposition has been held and an automatic extension is  
11 necessary to allow for the execution and enforcement of the court's  
12 order of disposition(~~(-)~~), subject to the following:

13 (i) If an order of disposition imposes commitment to the  
14 department, then jurisdiction is automatically extended to include a  
15 period of up to twelve months of parole, in no case extending beyond  
16 the offender's twenty-first birthday, except;

17 (ii)(A) If an order of disposition imposes a commitment to the  
18 department for a juvenile offender convicted of an A++ juvenile  
19 disposition category offense listed in RCW 13.40.0357, or found to be  
20 armed with a firearm and sentenced to an additional twelve months  
21 pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is  
22 automatically extended to include a period of up to twenty-four  
23 months of parole, in no case extending beyond the offender's twenty-  
24 fifth birthday; or

25 (B) Under subsection (2)(b) of this section in which case  
26 commitment may not extend beyond age twenty-five and one-half years;

27 (d) While proceedings are pending in a case in which jurisdiction  
28 (~~(has been transferred to)~~) is vested in the adult criminal court  
29 pursuant to RCW 13.04.030, the juvenile turns eighteen years of age  
30 and is subsequently found not guilty of the charge for which he or  
31 she was transferred, or is convicted in the adult criminal court of a  
32 lesser included offense, and an automatic extension is necessary to  
33 impose the disposition as required by RCW 13.04.030(1)(e)(v)(~~(+E)~~)

34 (B)(II); or

35 (e) Pursuant to the terms of RCW 13.40.190 and 13.40.198, the  
36 juvenile court maintains jurisdiction beyond the juvenile offender's  
37 twenty-first birthday for the purpose of enforcing an order of  
38 restitution or penalty assessment.

39 (~~(2) If the juvenile court previously has extended jurisdiction~~  
40 ~~beyond the juvenile offender's eighteenth birthday and that period of~~

1 ~~extension has not expired, the court may further extend jurisdiction~~  
2 ~~by written order setting forth its reasons.~~

3 ~~(3))~~ (4) Except as otherwise provided herein, in no event may  
4 the juvenile court have authority to extend jurisdiction over any  
5 juvenile offender beyond the juvenile offender's twenty-first  
6 birthday ((except for the purpose of enforcing an order of  
7 restitution or penalty assessment)).

8 ~~((4))~~ (5) Notwithstanding any extension of jurisdiction over a  
9 person pursuant to this section, the juvenile court has no  
10 jurisdiction over any offenses alleged to have been committed by a  
11 person eighteen years of age or older.

12 **Sec. 7.** RCW 13.40.300 and 2017 3rd sp.s. c 6 s 613 are each  
13 amended to read as follows:

14 ~~(1) ((In no case may))~~ Except as provided in subsection (2) of  
15 this section, a juvenile offender may not be committed by the  
16 juvenile court to the department of children, youth, and families for  
17 placement in a juvenile correctional institution beyond the juvenile  
18 offender's twenty-first birthday.

19 (2)(a) A juvenile offender convicted of an A++ juvenile  
20 disposition category offense listed in RCW 13.40.0357, or found to be  
21 armed with a firearm and sentenced to an additional twelve months  
22 pursuant to RCW 13.40.193(3)(b), may be committed by the juvenile  
23 court to the department of children, youth, and families for  
24 placement in a juvenile correctional institution up to the juvenile  
25 offender's twenty-fifth birthday, but not beyond.

26 (b) A juvenile offender adjudicated of a serious violent offense  
27 as defined under RCW 9.94A.030 may be committed by the juvenile court  
28 to the department of children, youth, and families for placement in a  
29 correctional institution up to the time the juvenile offender is age  
30 twenty-five and one-half years old, but not beyond.

31 (3) A juvenile may be under the jurisdiction of the juvenile  
32 court or the authority of the department of children, youth, and  
33 families beyond the juvenile's eighteenth birthday only if prior to  
34 the juvenile's eighteenth birthday:

35 (a) Proceedings are pending seeking the adjudication of a  
36 juvenile offense and the court by written order setting forth its  
37 reasons extends jurisdiction of juvenile court over the juvenile  
38 beyond his or her eighteenth birthday, except:

1 (i) If the court enters a written order extending jurisdiction  
2 under this subsection, it shall not extend jurisdiction beyond the  
3 juvenile's twenty-first birthday;

4 (ii) If the order fails to specify a specific date, it shall be  
5 presumed that jurisdiction is extended to age twenty-one; and

6 (iii) If the juvenile court previously extended jurisdiction  
7 beyond the juvenile's eighteenth birthday, and that period of  
8 extension has not expired, the court may further extend jurisdiction  
9 by written order setting forth its reasons;

10 (b) The juvenile has been found guilty after a fact finding or  
11 after a plea of guilty and an automatic extension is necessary to  
12 allow for the imposition of disposition;

13 (c) Disposition has been held and an automatic extension is  
14 necessary to allow for the execution and enforcement of the court's  
15 order of disposition(~~(-)~~), subject to the following:

16 (i) If an order of disposition imposes commitment to the  
17 department, then jurisdiction is automatically extended to include a  
18 period of up to twelve months of parole, in no case extending beyond  
19 the offender's twenty-first birthday, except;

20 (ii)(A) If an order of disposition imposes a commitment to the  
21 department for a juvenile offender convicted of an A++ juvenile  
22 disposition category offense listed in RCW 13.40.0357, or found to be  
23 armed with a firearm and sentenced to an additional twelve months  
24 pursuant to RCW 13.40.193(3)(b), then jurisdiction for parole is  
25 automatically extended to include a period of up to twenty-four  
26 months of parole, in no case extending beyond the offender's twenty-  
27 fifth birthday; or

28 (B) Under subsection (2)(b) of this section in which case  
29 commitment may not extend beyond age twenty-five and one-half years;

30 (d) While proceedings are pending in a case in which jurisdiction  
31 (~~(has been transferred to)~~) is vested in the adult criminal court  
32 pursuant to RCW 13.04.030, the juvenile turns eighteen years of age  
33 and is subsequently found not guilty of the charge for which he or  
34 she was transferred, or is convicted in the adult criminal court of a  
35 lesser included offense, and an automatic extension is necessary to  
36 impose the disposition as required by RCW 13.04.030(1)(e)(v)(~~(+E)~~)  
37 (B)(II); or

38 (e) Pursuant to the terms of RCW 13.40.190 and 13.40.198, the  
39 juvenile court maintains jurisdiction beyond the juvenile offender's

1 twenty-first birthday for the purpose of enforcing an order of  
2 restitution or penalty assessment.

3 ~~((2) If the juvenile court previously has extended jurisdiction~~  
4 ~~beyond the juvenile offender's eighteenth birthday and that period of~~  
5 ~~extension has not expired, the court may further extend jurisdiction~~  
6 ~~by written order setting forth its reasons.~~

7 ~~(3))~~ (4) Except as otherwise provided herein, in no event may  
8 the juvenile court have authority to extend jurisdiction over any  
9 juvenile offender beyond the juvenile offender's twenty-first  
10 birthday ~~((except for the purpose of enforcing an order of~~  
11 ~~restitution or penalty assessment))~~.

12 ~~((4))~~ (5) Notwithstanding any extension of jurisdiction over a  
13 person pursuant to this section, the juvenile court has no  
14 jurisdiction over any offenses alleged to have been committed by a  
15 person eighteen years of age or older."

16 Renumber the remaining sections consecutively and correct any  
17 internal references accordingly.

18 On page 9, line 35, after "Sections 3" strike "and 5" and insert  
19 ", 5, and 7"

20 On page 10, line 1, after "Sections 2" strike "and 4" and insert  
21 ", 4, and 6"

22 On page 10, after line 2, insert the following:

23 "NEW SECTION. Sec. 12. Sections 4 and 5 of this act take effect  
24 only if chapter . . . (Engrossed Second Substitute Senate No. Bill  
25 6160), Laws of 2018 is not enacted by the effective date of this  
26 section.

27 NEW SECTION. Sec. 13. Sections 6 and 7 of this act take effect  
28 only if chapter . . . (Engrossed Second Substitute Senate Bill No.  
29 6160), Laws of 2018 is enacted by the effective date of this  
30 section."

31 Correct the title.

EFFECT: Merges changes made by the underlying bill and Senate  
Bill No. 6160, relating to revision of exclusive adult court

jurisdiction and extension of juvenile court jurisdiction, in the event that Senate Bill No. 6160 is enacted.

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