

HB 2578 -- JUVENILE COURT

SPONSOR: Evans

This bill specifies that a juvenile court or family court will have exclusive original jurisdiction in proceedings involving a child who is alleged to have violated a state law or municipal ordinance on or after January 1, 2021, or any person who is alleged to have violated a state law or municipal ordinance on or after January 1, 2021, but prior to turning 18 years old.

The bill also provides that, when the juvenile court is informed that a child is in detention, the juvenile court must examine the reasons why and immediately order the child to be released or order the child to continue being detained until a detention hearing is held, unless the child is also being detained under general laws in criminal court.

If an offender is alleged to have violated state law before January 1, 2021, or if the offender is alleged to have violated state law before January 1, 2021, and prior to turning 18 years old, and the prosecution results in a conviction or a guilty plea, the court must consider dual jurisdiction of both the criminal and juvenile codes. Additionally, no court order will require a child to remain in the custody of the Division of Youth Services for a period that exceeds the child's 19th birthday (currently 18th birthday) except upon petition filed by the division.

Finally, the bill specifies that any funds remaining in the "Juvenile Justice Preservation Fund" at the end of the biennium will revert back to the juvenile office in the county of origination and will not reduce or offset any funds that are distributed to the juvenile office for the administration of any duty assigned to the juvenile department.

This legislation has a delayed effective date of January 1, 2021.