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SB-1290 Juveniles: costs. (2019-2020)

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Senate Bill No. 1290

CHAPTER 340

An act to add Section 223.2 to the Welfare and Institutions Code, relating to juveniles.

[Approved by Governor September 30, 2020. Filed with Secretary of State September 30, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1290, Durazo. Juveniles: costs.

Existing law, since January 1, 2018, prohibits the imposition of financial liability on the parents or guardians of a minor who has been adjudged a ward of the juvenile court for certain county-assessed or court-ordered costs, such as transportation to a juvenile facility, legal assistance, and home supervision. Existing law, since January 1, 2018, does not require minors who are required to submit to drug and substance abuse testing to pay for the costs associated with testing. Finally, existing law, since January 1, 2018, only requires adults over 21 years of age to pay an administrative fee associated with a home detention program.

This bill would vacate certain county-assessed or court-ordered costs imposed before January 1, 2018, for the parents or guardians of wards in specified circumstances, minors who were ordered to participate in drug and substance abuse testing, and adults who were 21 years of age and under at the time of their home detention.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 223.2 is added to the Welfare and Institutions Code, to read:

223.2. (a) The unpaid outstanding balance of any county-assessed or court-ordered costs imposed before January 1, 2018, pursuant to Section 207.2, 903, or 903.1, former Section 903.15, or Section 903.2, 903.25, 903.4, or 903.5 against the parent, guardian, or other person liable for the support of a minor is vacated and shall be unenforceable and uncollectable if the minor was adjudged to be a ward of the juvenile court, was on probation pursuant to Section 725, was the subject of a petition filed to adjudge the minor a ward, or was the subject of a program of supervision undertaken pursuant to Section 654. This subdivision applies to dual status children for purposes of delinquency jurisdiction.

(b) The unpaid outstanding balance of any county-assessed or court-ordered costs imposed before January 1, 2018, pursuant to Section 729.9 against a minor is vacated and shall be unenforceable and uncollectable. This subdivision applies to dual status children for purposes of delinquency jurisdiction.

(c) The unpaid outstanding balance of any county-assessed or court-ordered costs imposed before January 1, 2018, pursuant to Sections 1203.016, 1203.1ab, and 1208.2 of the Penal Code against adults who at the time were not adults who were over 21

years of age and were under the jurisdiction of the criminal court is vacated and shall be unenforceable and uncollectable.