

H.XXX; SUNSETS RELATED TO JUDICIARY PROCEDURES; SECTION BY SECTION SUMMARY

This bill proposes to repeal and extend several sunsets related to judiciary procedures.

Section 1 repeals the sunset on changes to the Diversion Program that were made in 2017 and are scheduled to sunset on July 1, 2020. The two most significant changes made in 2017 were: (1) expanding diversion to include adults with substance abuse or mental health treatment needs, regardless of the person's prior criminal history record (adult diversion had been available only to persons charged with a first or a second misdemeanor or a first nonviolent felony); and (2) requiring that for certain crimes the prosecutor must provide the offender with the opportunity to participate in diversion unless the prosecutor states on the record at arraignment or a subsequent court proceeding why doing so would not serve the ends of justice.

Section 2 repeals the sunset on the Racial Disparities in the Criminal and Juvenile System Advisory Panel, which is scheduled to sunset on July 1, 2020. The Panel reviews and provides recommendations to address systemic racial disparities in statewide systems of criminal and juvenile justice.

Section 3 repeals the sunset on the spousal maintenance guidelines, which are scheduled to sunset on July 1, 2021. The guidelines help courts determine how to set alimony payments during a divorce based on the length of the marriage and the difference between the parties' incomes.

Section 4 extends the sunset on the statutes governing use of automated license plate recognition systems (ALPRs). The

statutes are currently scheduled to sunset on July 1, 2020, and Section 4 extends the sunset by 2 years to July 1, 2022. The statutes establish standards for collection and storage of information obtained through ALPRs.