

**ASSEMBLY BILL**

**No. 1675**

---

**Introduced by Assembly Member Mark Stone**

January 19, 2016

---

An act to amend Section 602 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1675, as introduced, Mark Stone. Juveniles: prostitution.

Under existing law, a child may come within the jurisdiction of the juvenile court and become a dependent child of the court under certain circumstances, including in cases of abuse and neglect. Existing law subjects any person under 18 years of age who commits a crime to the jurisdiction of the juvenile court, which may adjudge that person to be a ward of the court, except as specified.

Existing law makes it a misdemeanor for a person to solicit or engage in any act of prostitution or to loiter in a public place in a manner and under circumstances manifesting the purpose and with the intent to commit prostitution.

This bill would specify that a minor who commits those crimes is not subject to the delinquency jurisdiction of the juvenile court, but he or she may be adjudged a dependent child of the juvenile court.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 602 of the Welfare and Institutions Code  
2     is amended to read:

602. (a) Except as provided in subdivision ~~(b)~~, *(b) or (c)*, any person who is under 18 years of age when he or she violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the juvenile court, which may adjudge such person to be a ward of the court.

(b) Any person who is alleged, when he or she was 14 years of age or older, to have committed one of the following offenses shall be prosecuted under the general law in a court of criminal jurisdiction:

(1) Murder, as described in Section 187 of the Penal Code, if one of the circumstances enumerated in subdivision (a) of Section 190.2 of the Penal Code is alleged by the prosecutor, and the prosecutor alleges that the minor personally killed the victim.

(2) The following sex offenses, if the prosecutor alleges that the minor personally committed the offense, and if the prosecutor alleges one of the circumstances enumerated in the One Strike law, subdivision (d) or (e) of Section 667.61 of the Penal Code, applies:

(A) Rape, as described in paragraph (2) of subdivision (a) of Section 261 of the Penal Code.

(B) Spousal rape, as described in paragraph (1) of subdivision (a) of Section 262 of the Penal Code.

(C) Forcible sex offenses in concert with another, as described in Section 264.1 of the Penal Code.

(D) Forcible lewd and lascivious acts on a child under 14 years of age, as described in subdivision (b) of Section 288 of the Penal Code.

(E) Forcible sexual penetration, as described in subdivision (a) of Section 289 of the Penal Code.

(F) Sodomy or oral copulation in violation of Section 286 or 288a of the Penal Code, by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person.

(G) Lewd and lascivious acts on a child under 14 years of age, as defined in subdivision (a) of Section 288, unless the defendant qualifies for probation under subdivision (d) of Section 1203.066 of the Penal Code.

1     (c) A minor who violates subdivision (b) of Section 647 of the  
2     Penal Code or Section 653.22 of the Penal Code is not subject to  
3     the jurisdiction of the juvenile court pursuant to this section. The  
4     minor may be adjudged a dependent child of the court on the  
5     grounds that he or she is a person described by Section 300.

O