

801 penalty under Subsection ~~[(2)(e)]~~ (8).

802 (c) The court's probation department shall base a fee, fine, or the restitution for a
 803 nonjudicial adjustment under Subsection (8) upon the ability of the minor's family to pay as
 804 determined by a statewide sliding scale developed in accordance with Section 63M-7-208 on or
 805 after July 1, 2018.

806 ~~[(v) Efforts to effect a]~~ (d) A nonjudicial adjustment may not extend for ~~[a period of]~~
 807 more than 90 days ~~[without leave of a judge of the court, who may extend the period]~~, unless a
 808 juvenile court judge extends the nonjudicial adjustment for an additional 90 days.

808a **H→ (e) (i) Notwithstanding Subsection (10)(d), a juvenile court judge may extend a**
 808b **nonjudicial adjustment beyond the 180 days permitted under Subsection (10)(d) for a minor**
 808c **who is offered a nonjudicial adjustment under Subsection (7)(b) for a sexual offense under**
 808d **Title 76, Chapter 5, Part 4, Sexual Offenses, or is referred under Subsection (11)(b)(ii) for a**
 808e **sexual offense under Title 76, Chapter 5, Part 4, Sexual Offenses, that the minor committed**
 808f **before the minor was 12 years old , if the judge determines that:**

808g **(A) the nonjudicial adjustment requires specific treatment for the sexual offense;**

808h **(B) the treatment cannot be completed within 180 days after the day on which the**
 808i **minor entered into the nonjudicial adjustment; and**

808j **(C) the treatment is necessary based on a clinical assessment that is developmentally**
 808k **appropriate for the minor.**

808l **(ii) If a juvenile court judge extends a minor's nonjudicial adjustment under**
 808m **Subsection (10)(e)(i), the judge may extend the nonjudicial adjustment until the minor**
 808n **completes the treatment under this Subsection (10)(e), but the judge may only grant each**
 808o **extension for 90 days at a time. ←H**

809 **H→ [(e)] (f) ←H** If a minor violates Section 76-10-105, the minor may be required to pay a
 809a fine or

810 penalty and participate in a court-approved tobacco education program with a participation fee.

811 ~~[(vi) A prosecutor may not file a petition against a minor unless:]~~

812 ~~[(A) the minor does not qualify for nonjudicial adjustment under Subsection (2)(b) or~~
 813 ~~(d)(ii);]~~

814 ~~[(B) the minor declines nonjudicial adjustment;]~~

815 ~~[(C) the minor fails to substantially comply with the conditions agreed upon as part of~~
 816 ~~the nonjudicial adjustment;]~~

817 ~~[(D) the minor fails to respond to the probation department's inquiry regarding~~
 818 ~~eligibility for or an offer of a nonjudicial adjustment after being provided with notice for~~☛

819 ~~☛preliminary inquiry; or]~~
820 ~~[(E) the prosecutor is acting under Subsection (2)(k).]~~
821 ~~[(e) The nonjudicial adjustment of a case may include the following conditions agreed~~
822 ~~upon as part of the nonjudicial closure:]~~
823 ~~[(i) payment of a financial penalty of not more than \$250 to the juvenile court subject~~
824 ~~to the terms established under Subsection (2)(f);]~~
825 ~~[(ii) payment of victim restitution;]~~
826 ~~[(iii) satisfactory completion of community or compensatory service;]~~
827 ~~[(iv) referral to an appropriate provider for counseling or treatment;]~~
828 ~~[(v) attendance at substance use disorder programs or counseling programs;]~~
829 ~~[(vi) compliance with specified restrictions on activities and associations;]~~
830 ~~[(vii) victim-offender mediation, if requested by the victim; and]~~
831 ~~[(viii) other reasonable actions that are in the interest of the child or minor, the~~