

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 640

H.P. 408

House of Representatives, February 25, 2025

An Act Requiring Certain Fees Charged by the Courts for Court-ordered Payments Be Capped and Paid by the Defendant

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative HENDERSON of Rumford.
Cosponsored by Representatives: BRIDGEO of Augusta, CARUSO of Caratunk,
FREDERICKS of Sanford, LEE of Auburn, LYMAN of Livermore Falls.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 4 MRSA §556, 3rd ¶**, as amended by PL 1989, c. 501, Pt. P, §5, is further
3 amended to read:

4 Whenever any ~~of these~~ funds are ordered by the courts to be paid to a person entitled
5 to these funds, all accrued interest ~~shall~~ must be paid to the claimant ~~less~~. The losing party
6 shall pay the court a 5% fee based on the total proceeds, capped at \$1,000, unless otherwise
7 ordered by the court. Whenever any ~~of these~~ funds remain unclaimed for 20 years from the
8 date when payable under the court judgment or decree, the clerk shall obtain an order from
9 the court, under whose judgment or decree these funds were placed in the clerk's custody,
10 that a comprehensive abstract of the facts be advertised for 3 weeks successively in a
11 newspaper of general circulation published in the county, and, if no one appears to claim
12 these funds within 60 days after the date of the last publication, the funds ~~shall~~ become
13 forfeited to the State and must be paid by the clerk to the Treasurer of State. That portion
14 of this section providing for the forfeiture of unclaimed funds ~~shall apply~~ applies to funds
15 held by the clerk of courts for 20 years or more prior to September 16, 1961.

16 **SUMMARY**

17 This bill amends the law regarding court-ordered funds paid to the court. Current law
18 requires that a fee be paid to the court from the interest accrued from the funds in the
19 amount of 5% of the total proceeds paid. This bill requires that the losing party pay the
20 fee, capped at \$1,000.