

MAINE STATE LEGISLATURE

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121st MAINE LEGISLATURE

FIRST REGULAR SESSION-2003

Legislative Document

No. 838

H.P. 615

House of Representatives, February 20, 2003

An Act Regarding Bail and Fines

Submitted by the Judicial Department pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SHERMAN of Hodgdon.
Cosponsored by Senator WOODCOCK of Franklin and
Representative: TARDY of Newport.

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

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Sec. 1. 15 MRSA §1074, sub-§3, ¶¶A, B and C, as enacted by PL
4 1987, c. 758, §20, are amended to read:

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A. Any fine, forfeiture, penalty or fee imposed upon a
8 defendant as part of the sentence for conviction of any
10 offense arising out of the criminal proceeding for which the
bail has been posted and the sentence for conviction of any
offense in an unrelated civil or criminal proceeding;

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B. Any amount of restitution the defendant has been ordered
14 to pay as part of the sentence imposed in the proceeding for
which bail has been posted and in any unrelated proceeding;

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C. Any amount of ~~attorneys'~~ attorney's fees or other
18 expense authorized by the court at the request of the
defendant or attorney and actually paid by the State on
20 behalf of the defendant on the ground that the defendant has
been found to be indigent in the proceeding for which bail
has been posted and in any unrelated proceeding; and

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SUMMARY

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Current law authorizes the setoff of bail against criminal
28 fines, forfeitures, fees, restitution, attorney's fees and
expenses and surcharges arising from the criminal proceeding for
which the bail has been posted. This bill allows for the bail to
30 be set off against the same expenses associated with other
proceedings involving the same defendant.