

ROFF		
1		L.D. 1598
2	Date: 3/12/12	(Filing No. H- 760)
3	CRIMINAL JUSTICE AND PUBLIC SAFETY	
4	Reproduced and distributed under the di	irection of the Clerk of the House.
5	STATE OF MAINE	
6	HOUSE OF REPRESENTATIVES	
7	125TH LEGISLATURE	
8	SECOND REGULAR SESSION	
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9 10 11		to H.P. 1204, L.D. 1598, Bill, "An Act To redit Given for Jail Time toward Payment of
12 13	Amend the bill by striking out everyth summary and inserting the following:	hing after the enacting clause and before the
14 15	'Sec. 1. 17-A MRSA §1304, sub-§3, ¶A, as amended by PL 2011, c. 334, §1, is further amended to read:	
16 17 18 19	was not attributable to an intentional or to a failure on the offender's part to p	reponderance of the evidence that the default r knowing refusal to obey the court's order or make a good faith effort to obtain the funds l find that the default was unexcused and may:
20 21 22 23 24 25 26 27 28 29 30 31	of the fine is paid. The length of default must be specified in the co- every \$100 of unpaid fine or 6 committed for nonpayment of a fi fine for each day of confinement specified in the court's order, which of unpaid fine for each day of confi each day that the offender is detar pursuant to this section. An offender	stody of the sheriff until all or a specified part f confinement in a county jail for unexcused ourt's order and may not exceed one day for months, whichever is shorter. An offender ne is given credit toward the payment of the that the offender is in custody, at the rate h may not be less than $$25$ or more than $$100$ <u>inement</u> . The offender is also given credit for ined as the result of an arrest warrant issued er is responsible for paying any fine remaining ent and detention. A default on the remaining a; or
32 33 34 35 36	crime, as authorized by chapter 5 service work, as authorized in cha fine is paid. The number of hours	es to a fine imposed for a Class D or Class E 3, order the offender to perform community pter 54-C, until all or a specified part of the of community service work must be specified sceed 8 hours for every \$25 of unpaid fine or

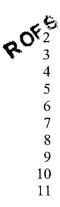
must be specified 5 of unpaid fine or the offender must receive a credit against the unpaid fine of no less than \$25 for

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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 1204, L.D. 1598



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every 8 hours of community service work completed, which may not exceed one hundred 8-hour days, whichever is shorter. An offender ordered to perform community service work pursuant to this subparagraph is given credit toward the payment of the fine for each 8-hour day of community service work performed at the rate specified in the court's order. The offender is also given credit toward the payment of the fine for each day that the offender is detained as a result of an arrest warrant issued pursuant to this section at a rate specified in the court's order that is up to \$100 of unpaid fine per day of confinement. An offender is responsible for paying any fine remaining after receiving credit for any detention and for community service work performed. A default on the remaining fine is also governed by this section.'

SUMMARY

13 This amendment sets a minimum amount of credit a court may grant toward payment 14 of a fine at \$25 for each day of confinement. It also clarifies the credit regarding 15 community service.

FISCAL NOTU BUGUIKED (See attached)

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COMMITTEE AMENDMENT





125th MAINE LEGISLATURE

LD 1598

LR 2502(02)

An Act To Clarify the Court's Authority To Grant Credit Given for Jail Time toward Payment of Fines

> Fiscal Note for Bill as Amended by Committee Amendment "A" (H-760) Committee: Criminal Justice and Public Safety Fiscal Note Required: Yes

Fiscal Note

Minor savings - General Fund Minor revenue increase - General Fund

Fiscal Detail and Notes

This bill may result in a minor increase in General Fund fine revenue. It may also result in minor savings to the regional and county jail system.