

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 452

S.P. 206

In Senate, February 6, 2023

An Act to Reform the Laws Regarding the Payment of Criminal Fines

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BEEBE-CENTER of Knox.

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

2 **Sec. 1. 17-A MRSA §1710**, as enacted by PL 2019, c. 113, Pt. A, §2, is amended
3 to read:

4 **§1710. Modification of payment or termination of fine**

5 If a convicted person who has been sentenced to pay a fine is in danger of default, that
6 person ~~shall~~ may move the court for a modification of time or method of payment or other
7 modification to avoid a default or for the termination of the fine. The convicted person has
8 the burden of proving by a preponderance of the evidence that a default or potential default
9 is not attributable to an intentional or knowing refusal to obey the court's order or to a
10 failure by the person to make a good faith effort to obtain the funds required for the payment
11 of the fine. The court may modify its prior order to allow additional time for payment ~~or~~,
12 to reduce the amount of each installment or to otherwise modify or terminate the fine.

13 **Sec. 2. 17-A MRSA §1711, sub-§4, ¶B**, as enacted by PL 2019, c. 113, Pt. A, §2,
14 is amended to read:

15 B. If it appears that the default is excusable, the court may give the person additional
16 time for payment, may reduce the amount of each installment ~~or~~, may permit the person
17 to perform community service work at the rate authorized by paragraph A,
18 subparagraph (2), supervised by the sheriff of the county in which the court that
19 assessed the fine is located or by a community confinement monitoring agency with
20 which that sheriff has contracted under Title 30-A, section 1659-A or may otherwise
21 modify or terminate the fine.

22 **SUMMARY**

23 This bill amends the laws regarding criminal fines by requiring a convicted person to
24 establish by a preponderance of the evidence that the person cannot in good faith pay the
25 fine and allows the court to modify the fine, including an additional remedy of terminating
26 the fine. The bill also allows the court to make certain modifications to or terminate a fine
27 upon a default.