

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FIVE

—  
H.P. 62 - L.D. 97

**An Act to Facilitate the Improvement of Credit Scores of Residents of  
Department of Corrections Facilities**

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

**Sec. 1. 17-A MRSA §2016, sub-§2**, as amended by PL 2021, c. 299, Pt. A, §2, is further amended to read:

**2. Payment of restitution or fines from other sources.** A prisoner, other than one addressed by subsection 1, who receives money, from any source, shall pay 25% of that money to any victim or the court if the court has ordered that restitution or a fine be paid. The chief administrative officer of the correctional facility in which the prisoner is incarcerated shall collect and disburse to the victim or victims that portion of the prisoner's money ordered as restitution. The chief administrative officer of the correctional facility where the prisoner is incarcerated shall also collect and disburse to the court that portion of the prisoner's money ordered as fines after the restitution is paid in full. If the victim or victims ordered by the court to receive restitution cannot be located, the correctional facility shall forward the funds, as provided in section 2009, to the Treasurer of State to be handled as unclaimed property. Money received by the prisoner and directly deposited into a telephone call account established by the Department of Corrections for the sole purpose of paying for use of the department's client telephone system is not subject to this subsection, except that 25% of any money received by the prisoner and transferred from the telephone call account to the department's general client account at the time of the prisoner's discharge or transfer to supervised community confinement must be collected and disbursed as provided in this subsection. Money received by the prisoner as a credit improvement loan in accordance with Title 34-A, section 3039, subsection 6 is not subject to this subsection.

**Sec. 2. 34-A MRSA §3032, sub-§5-A, ¶A**, as amended by PL 2005, c. 506, §4, is further amended to read:

A. Restitution may be imposed for the purpose of replacing or repairing property destroyed or damaged by the prisoner or juvenile while the prisoner or juvenile is at the institution. When restitution is imposed at a facility, a prisoner or a juvenile who is subject to that restitution and who receives money from any source shall pay 25% of

that money to the facility where the destruction or damage occurred. The facility shall collect that money and apply it to defray the cost of replacement or repair of the items destroyed or damaged. Money received by the prisoner or juvenile and directly deposited into a telephone call account established by the department for the sole purpose of paying for use of the department's client telephone system is not subject to this paragraph, except that 25% of any money received by the prisoner or juvenile and transferred from the telephone call account to the department's general client account at the time of the prisoner's or juvenile's discharge or transfer to supervised community confinement or community reintegration status must be collected and disbursed as provided in this paragraph. Money received by the prisoner or juvenile as a credit improvement loan in accordance with section 3039, subsection 6 is not subject to this paragraph.

**Sec. 3. 34-A MRSA §3032, sub-§5-A, ¶A-1**, as amended by PL 2005, c. 506, §5, is further amended to read:

A-1. Restitution may be imposed for the purpose of paying the cost of medical care incurred as a result of the conduct of a prisoner or juvenile while the prisoner or juvenile is at the institution. When restitution is imposed at a facility, a prisoner or a juvenile who is subject to that restitution and who receives money from any source shall pay 25% of that money to the facility where the medical care was provided. The facility shall collect that money and apply it to defray the cost of medical care. Money received by the prisoner or juvenile and directly deposited into a telephone call account established by the department for the sole purpose of paying for use of the department's client telephone system is not subject to this paragraph, except that 25% of any money received by the prisoner or juvenile and transferred from the telephone call account to the department's general client account at the time of the prisoner's or juvenile's discharge or transfer to supervised community confinement or community reintegration status must be collected and disbursed as provided in this paragraph. Money received by the prisoner or juvenile as a credit improvement loan in accordance with section 3039, subsection 6 is not subject to this paragraph.

**Sec. 4. 34-A MRSA §3032, sub-§5-B, ¶A**, as amended by PL 2005, c. 506, §6, is further amended to read:

A. When a monetary sanction is imposed at a facility, a prisoner who is subject to that monetary sanction and who receives money from any source shall pay 25% of that money to the facility where the monetary sanction was imposed. The facility shall collect that money and apply it to defray the cost of holding disciplinary hearings. Money received by the prisoner and directly deposited into a telephone call account established by the department for the sole purpose of paying for use of the department's client telephone system is not subject to this paragraph, except that 25% of any money received by the prisoner and transferred from the telephone call account to the department's general client account at the time of the prisoner's discharge or transfer to supervised community confinement must be collected and disbursed as provided in this paragraph. Money received by the prisoner as a credit improvement loan in accordance with section 3039, subsection 6 is not subject to this paragraph.

**Sec. 5. 34-A MRSA §3039, sub-§6** is enacted to read:

**6. Credit improvement loan.** The commissioner may allow a client, in accordance with rules adopted by the commissioner, to receive a loan from a financial institution without the loan money being deposited in the department's general client account or the department's telephone call account if:

- A. The loan is designed to improve the client's credit score;
- B. The loan money is deposited in the client's savings account at the financial institution;
- C. The loan is secured in full by money disbursed by the client from the department's general client account to the client's savings account at the financial institution after any collections provided for by statute or rule; and
- D. The loan is required to be repaid in full from the secured money under paragraph C or from other money disbursed by the client from the department's general client account after collections provided for by statute or rule.

As used in this subsection, "financial institution" has the same meaning as in Title 9-B, section 131, subsection 17 and includes a credit union as defined in Title 9-B, section 131, subsection 12.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 34-A MRSA §3047, sub-§2, ¶A,** as amended by PL 2005, c. 506, §10, is further amended to read:

- A. Has, within the 6 months prior to the date of parole or discharge, transferred from the department's general client account to any person more than \$500, excluding any money transferred for the support of dependents or a credit improvement loan in accordance with section 3039, subsection 6; or

**Sec. 7. 34-A MRSA §3047, sub-§2, ¶B,** as amended by PL 2007, c. 102, §9, is further amended to read:

- B. Has, on the date of parole or discharge, more than \$500 in personal assets not including a credit improvement loan in accordance with section 3039, subsection 6.