

CHAPTER 303

FINES AND COSTS

SUBCHAPTER 1

GENERAL PROVISIONS

§1901. Respondent not to be sentenced to pay costs of court as such

The Superior Court shall not, in any criminal proceeding, sentence any respondent to pay costs of court as such, but may take costs into consideration and include in any fine imposed a sum adequate to cover all or any part of them without reference to such costs and without taxing them, provided the maximum fine for the particular offense is not exceeded. [PL 1975, c. 775, §2 (RPR).]

SECTION HISTORY

PL 1975, c. 775, §2 (RPR).

§1902. Fines, forfeitures and criminal costs paid to State

All fines, forfeitures and costs in criminal cases shall be paid into the State Treasury. [PL 1975, c. 735, §15-A (RPR).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD). PL 1975, c. 623, §§17-A (RPR). PL 1975, c. 735, §§15-A (RPR).

§1903. Fines and forfeitures recovered by indictment unless otherwise provided

All fines and forfeitures, imposed as punishment for offenses or for violations or neglects of statute duties may, when no other mode is expressly provided, be recovered by indictment. When no other appropriation is expressly made, they inure to the State. [PL 1975, c. 623, §17-B (AMD).]

SECTION HISTORY

PL 1975, c. 623, §17-B (AMD).

§1904. Inability to pay fine and costs; liberation

(REPEALED)

SECTION HISTORY

PL 1965, c. 425, §10 (AMD). PL 1975, c. 499, §4 (RP).

SUBCHAPTER 2

CLERKS OF COURT

§1941. Duties of clerks as to certificates of fines

Clerks of court shall attest triplicate copies of certificates of all fees, fines and bail forfeitures imposed and accruing to the State at such intervals as the Chief Justice of the Supreme Judicial Court or his designee may direct, and deliver one of these copies to the State Auditor, to the Chief Justice or his designee and retain one in the clerk's office. [PL 1977, c. 114, §29 (RPR).]

SECTION HISTORY

PL 1975, c. 383, §15 (AMD). PL 1975, c. 408, §31 (RPR). PL 1975, c. 735, §16 (RPR). PL 1977, c. 114, §29 (RPR).

§1942. Duty of clerks to collect fines and costs or to issue process for collection

Each clerk of court, in default of payment to him of fines, forfeitures and bills of costs, shall issue warrants of distress, or such other process therefor as the court finds necessary to enforce the execution of any order, sentence or judgment in behalf of the State, deliver them to the sheriff, or to such constable as the district attorney directs, and enter of record the name of the officer and the time when they are delivered to him. [PL 1973, c. 567, §20 (AMD).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD).

§1943. Fines, costs and forfeitures in Superior Court

Every clerk of a Superior Court shall render under oath a detailed account of all fines, costs and forfeitures upon convictions and sentences before the court and shall pay them into the State Treasury on or before the 15th day of the month following the collection of such fines, costs and forfeitures. Any person who fails to make such payments into the State Treasury forfeits, in each instance, double the amount so neglected to be paid over, to be recovered by indictment for the persons entitled to such fines, costs and forfeitures, and in default of payment, that person is guilty of a Class E crime. [PL 2015, c. 44, §5 (AMD).]

SECTION HISTORY

PL 1975, c. 383, §16 (AMD). PL 1975, c. 408, §31 (RPR). PL 1979, c. 663, §108 (AMD). PL 2013, c. 16, §10 (REV). PL 2015, c. 44, §5 (AMD).

SUBCHAPTER 3

SHERIFFS AND OTHER OFFICERS

§1981. Payment over of fines and costs collected

Sheriffs, jailers and constables who by virtue of their office receive any fines or forfeitures, shall forthwith pay them to the Treasurer of State. [PL 1977, c. 114, §30 (AMD).]

If any such officer neglects to pay over such fine or forfeiture for 30 days after the receipt thereof; or if he permits any person, sentenced to pay such fine or forfeiture and committed to his custody, to go at large without payment, unless by order of court, and does not within 30 days after the escape pay the amount thereof to the clerk of the court, he forfeits to the State double the amount. The Treasurer of State shall give notice of such neglect to the Attorney General, who shall sue therefor in a civil action in the name of such treasurer. [PL 1977, c. 114, §31 (AMD).]

All such fines imposed by the District Court shall be paid over to the District Court.

SECTION HISTORY

PL 1973, c. 567, §20 (AMD). PL 1975, c. 383, §17 (AMD). PL 1975, c. 408, §32 (AMD). PL 1975, c. 735, §17 (AMD). PL 1977, c. 114, §§30,31 (AMD).

§1982. Receipts for process for recovery of fines

Every sheriff or other officer to whom any process for the recovery of such fine, forfeiture or costs is committed by the clerk of courts shall, at the next session of the court in the same county, produce a receipt in full for the same or assign a satisfactory excuse for not so doing. In case of neglect, the court

shall order a prosecution to be commenced therefor by the district attorney. [PL 1973, c. 567, §20 (AMD).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD).

§1983. Disposal of securities for fines and costs

Each sheriff, as often as every 3 months, shall deliver to the Treasurer of State all securities taken by him for fines and costs, on the liberation of poor convicts from prison pursuant to law. [PL 1975, c. 408, §33 (AMD).]

All such securities taken for fines imposed by the District Court shall be paid over to the District Court.

SECTION HISTORY

PL 1975, c. 383, §18 (AMD). PL 1975, c. 408, §33 (AMD).

SUBCHAPTER 4

COUNTY TREASURERS

§2031. Fees claimed within 3 years

Sums allowed to any person as fees or for expenses in any criminal prosecution and payable from the State Treasury may be claimed by such person of the Treasurer of State at any time within 3 years after the allowance, and not afterwards. [PL 1975, c. 408, §34 (AMD).]

SECTION HISTORY

PL 1975, c. 383, §19 (AMD). PL 1975, c. 408, §34 (AMD).

§2032. Schedule of securities

A schedule of all securities with the amount due on each, received by the Treasurer of State from the sheriff pursuant to section 1983, shall be filed by the sheriff with the clerk. The clerk, from time to time, shall examine such securities, and, where he deems appropriate, shall request that the court order the Attorney General to take such measures for their collection as are deemed expedient or authorize the treasurer to compound and cancel them on such terms as may be ordered. [PL 1975, c. 408, §34 (AMD).]

SECTION HISTORY

PL 1975, c. 383, §20 (AMD). PL 1975, c. 408, §34 (AMD).

§2033. Treasurer's annual report to court

(REPEALED)

SECTION HISTORY

PL 1975, c. 383, §21 (AMD). PL 1975, c. 408, §34 (AMD). PL 1975, c. 735, §18 (RPR). PL 1979, c. 127, §116 (RP).

SUBCHAPTER 5

DISTRICT ATTORNEYS

§2061. Examination of records of clerks and treasurers by district attorney

District attorneys shall examine the records and files in the offices of clerks and the certificates and accounts in the offices of treasurers, relating to fines, forfeitures and bills of costs accruing to their counties; ascertain, so far as practicable, the cause of any delinquencies in paying over the same; and move the court for all necessary orders and processes to enforce the collection thereof. [PL 1973, c. 567, §20 (AMD).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD).

§2062. Delinquent sheriff or other officer summoned before court by district attorney

When it appears that any sheriff or other officer is not discharged of any fine, forfeiture or bill of costs committed to him to collect, the district attorney shall cause him to be summoned and brought before the court that imposed such fine, forfeiture or bill of costs to show a proper discharge or the cause for not collecting the same and paying it over. Such sheriff or other officer shall carry into execution all lawful orders of the court relating to the collection and payment thereof, and shall, by all other means pertaining to his office, promote and enforce the same. [PL 1973, c. 567, §20 (AMD).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD).

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