§2011. Former Department of Corrections' clients owing restitution

An offender is responsible for paying any restitution outstanding at the time the term of commitment to the Department of Corrections or period of probation is completed. An offender who has complied with the time and method of payment of restitution determined by the Department of Corrections during the period of probation shall make payments to the office of the attorney for the State who prosecuted the case in accordance with that payment schedule unless modified by the court pursuant to section 2014 or 2015. An offender who has not complied with the time and method of payment of restitution determined by the Department of Corrections during the period of probation must be returned to the court for further disposition pursuant to section 2015. An offender who is unconditionally released and discharged from institutional confinement with the Department of Corrections upon the expiration of the sentence must, upon application of the office of the attorney for the State, be returned to the court for specification by the court of the time and method of payment of restitution, which must be ordered paid to the office of the attorney for the State who prosecuted the case. Prior to the offender's unconditional release and discharge from institutional confinement or completion of the period of probation, the Department of Corrections shall provide the offender with written notice that any restitution outstanding at the time the term of commitment to the department or period of probation is completed must be paid to the office of the attorney for the State who prosecuted the case. At least 30 days prior to the offender's unconditional release and discharge from institutional confinement or completion of the period of probation, the Department of Corrections shall provide the office of the attorney for the State who prosecuted the case written notice as to the amount of restitution outstanding. An income withholding order issued pursuant to section 2007 remains effective and enforceable until the restitution is paid in full, even after an offender is no longer in the custody or under the supervision of the Department of Corrections. If an offender who is required to make payments to the office of the attorney for the State who prosecuted the case under this subsection instead makes a payment to the Department of Corrections or the department otherwise receives money that is owed as restitution by an offender who is no longer in the custody or under the supervision of the department, including, but not limited to, a setoff of a tax refund pursuant to Title 36, section 185-A, the department shall forward the money to the victim and shall inform the office of the attorney for the State who prosecuted the case of that action. [PL 2023, c. 196, §7 (AMD).]

SECTION HISTORY

PL 2019, c. 113, Pt. A, §2 (NEW). PL 2023, c. 196, §7 (AMD).

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