

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(REPEALED)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

A clerk 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 the Chief Justice's designee may direct and deliver one of these copies to the State Auditor and to the Chief Justice or the Chief Justice's designee and retain one in the clerk's office. [RR 2023, c. 2, Pt. D, §71 (COR).]

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). RR 2023, c. 2, Pt. D, §71 (COR).

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

A clerk of court, in default of payment to the clerk 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 on behalf of the State, deliver them to the sheriff, or to a constable as the district attorney directs, and enter of record the name of the officer and the time when they are delivered to the officer. [RR 2023, c. 2, Pt. D, §72 (COR).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD). RR 2023, c. 2, Pt. D, §72 (COR).

§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 the fines and forfeitures to the Treasurer of State. [RR 2023, c. 2, Pt. D, §73 (COR).]

If any such officer neglects to pay over the fine or forfeiture for 30 days after the receipt of the fine or forfeiture or if the officer permits any person sentenced to pay the fine or forfeiture and committed to the officer's custody to go at large without payment, unless by order of court, and does not within 30 days after the escape pay the amount of the fine or forfeiture to the clerk of the court, the officer forfeits to the State double the amount. The Treasurer of State shall give notice of that neglect to the Attorney General, who shall sue therefor in a civil action in the name of the Treasurer of State. [RR 2023, c. 2, Pt. D, §73 (COR).]

All such fines imposed by the District Court must be paid over to the District Court. [RR 2023, c. 2, Pt. D, §73 (COR).]

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). RR 2023, c. 2, Pt. D, §73 (COR).

§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

A sheriff, as often as every 3 months, shall deliver to the Treasurer of State all securities taken by the sheriff for fines and costs, on the liberation of poor convicts from prison pursuant to law. [RR 2023, c. 2, Pt. D, §74 (COR).]

All such securities taken for fines imposed by the District Court must be paid over to the District Court. [RR 2023, c. 2, Pt. D, §74 (COR).]

SECTION HISTORY

PL 1975, c. 383, §18 (AMD). PL 1975, c. 408, §33 (AMD). RR 2023, c. 2, Pt. D, §74 (COR).

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, must be filed by the sheriff with the clerk. The clerk, from time to time, shall examine the securities and, when the clerk determines it appropriate, shall request that the court order the Attorney General to take such measures for the collection of the securities as are determined expedient or authorize the Treasurer of State to compound and cancel them on such terms as may be ordered. [RR 2023, c. 2, Pt. D, §75 (COR).]

SECTION HISTORY

PL 1975, c. 383, §20 (AMD). PL 1975, c. 408, §34 (AMD). RR 2023, c. 2, Pt. D, §75 (COR).

§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 a sheriff or other officer is not discharged of any fine, forfeiture or bill of costs committed to the sheriff or other officer to collect, the district attorney shall cause the sheriff or other officer to be summoned and brought before the court that imposed the fine, forfeiture or bill of costs to show a proper discharge or the cause for not collecting the fine, forfeiture or bill of costs and paying it over. The sheriff or other officer shall carry into execution all lawful orders of the court relating to the collection and payment of the fine, forfeiture or bill of costs and shall, by all other means pertaining to the sheriff's or other officer's office, promote and enforce the same. [RR 2023, c. 2, Pt. D, §76 (COR).]

SECTION HISTORY

PL 1973, c. 567, §20 (AMD). RR 2023, c. 2, Pt. D, §76 (COR).

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