

## §1854. Requirements of administrative release

If the court imposes a suspended sentence with administrative release under section 1853, the court shall attach requirements of administrative release, as authorized by this section, as the court determines to be reasonable and appropriate to help ensure accountability and rehabilitation of the person. [PL 2019, c. 113, Pt. A, §2 (NEW).]

**1. Mandatory requirements.** The court-imposed requirements of administrative release must include a requirement that the person refrain from criminal conduct and that the person pay all assessments, surcharges, other fees and costs required by law. [PL 2019, c. 113, Pt. A, §2 (NEW).]

**2. Discretionary requirements.** In addition to the requirements in subsection 1, the court in its sentence may require the person:

A. To pay to the appropriate county an administrative supervision fee of not more than \$50 per month, as determined by the court, for the term of the administrative release. In determining the amount of the fee, the court shall take into account the financial resources of the person and the nature of the burden its payment imposes. When a person fails to pay the administrative supervision fee, the court may revoke administrative release as provided in sections 1855 and 1856 unless the person shows that failure to pay was not attributable to a willful refusal to pay or to a failure on that person's part to make a good faith effort to obtain the funds required for the payment; [PL 2019, c. 113, Pt. A, §2 (NEW).]

B. To pay a fine imposed by the court as part of the sentence; [PL 2019, c. 113, Pt. A, §2 (NEW).]

C. To make restitution to each victim of the crime imposed by the court as part of the sentence, which must be paid to the office of the attorney for the State who prosecuted the case; [PL 2023, c. 196, §4 (AMD).]

D. To perform community service work imposed by the court as part of the sentence; or [PL 2019, c. 113, Pt. A, §2 (NEW).]

E. To satisfy any requirement reasonably related to helping ensure the accountability and rehabilitation of the person. [PL 2019, c. 113, Pt. A, §2 (NEW).]  
[PL 2023, c. 196, §4 (AMD).]

**3. Opportunity to address court regarding requirements; written statement of requirements to be provided.** The person must be given an opportunity to address the court on the requirements that are proposed to be attached pursuant to subsections 1 and 2 and must, after the sentencing, be given a written statement setting forth the specific requirements on which the person is being administratively released. [PL 2019, c. 113, Pt. A, §2 (NEW).]

### SECTION HISTORY

PL 2019, c. 113, Pt. A, §2 (NEW). PL 2023, c. 196, §4 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Legislature and is current through October 15, 2024. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.