**§1702. No punishment until conviction; costs**

**1. No punishment before conviction.**  A person may not be punished for an offense until convicted of that offense in a court having jurisdiction over the person and case.

[PL 2003, c. 182, §1 (NEW).]

**2. Costs included in sentence.**  If a person is convicted and the court imposes a fine, the court:

A. May sentence the defendant to pay the costs of prosecution; [PL 2003, c. 182, §1 (NEW).]

B. May sentence the defendant to pay, as restitution, the costs of drug tests, other than tests under Title 29‑A, administered to the defendant by a law enforcement officer or medical personnel at the request of a law enforcement officer. The court shall transfer all amounts paid by a defendant under this paragraph to the municipal, county or state agency that incurred the costs; and [PL 2003, c. 182, §1 (NEW).]

C. Shall, if the case is prosecuted in District Court, sentence the defendant to pay a fine sufficient to cover the costs as provided in Title 4, section 173. This paragraph does not apply to defendants prosecuted for violations of Title 26, chapter 7, subchapter 1‑B or for violations of Title 28‑A, sections 2078 and 2223. [PL 2003, c. 182, §1 (NEW).]

[PL 2003, c. 182, §1 (NEW).]

SECTION HISTORY

PL 1965, c. 356, §55 (AMD). PL 1975, c. 499, §3 (AMD). PL 1987, c. 45, §B2 (AMD). PL 1987, c. 737, §§C29,C106 (AMD). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,C10 (AMD). PL 2003, c. 182, §1 (RPR).

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