

**§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).

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