CHAPTER 114
SB 389 - FINAL VERSION

2018 SESSION

18-2891
04/01

SENATE BILL ***389***

AN ACT **relative to administrative fees on restitution.**

SPONSORS: **Sen. Carson, Dist 14; Sen. Lasky, Dist 13; Sen. French, Dist 7; Sen. Gannon, Dist 23; Rep. Hopper, Hills. 2; Rep. Hagan, Rock. 4; Rep. Wall, Straf. 6**

COMMITTEE: **Judiciary**

ANALYSIS

This bill provides that the defendant shall only pay an administrative fee when restitution is collected by the department of corrections, division of field services. This bill is a request of the supreme court.

Explanation: **Matter added to current law appears in *bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT **relative to administrative fees on restitution.**

Be it Enacted by the Senate and House of Representatives in General Court convened:

114:1 Sentences; Restitution Authorized. Amend RSA 651:63, V to read as follows:

V. *When restitution is ordered to be paid through the department of corrections, division of field services,* the court shall add 17 percent to the total restitution payment as an administrative fee to be paid by the offender. Such administrative fee shall be divided into the following components, to be designated as follows: 15 percent shall be continually appropriated to a special fund for the division of field services, department of corrections, $22,500 of which shall lapse to the general fund at the end of each quarter should that amount be received, to maximize restitution collections, directly or through agents of contractors selected by the department; and 2 percent for the victims' assistance fund. Unexpended account balances in the special fund for the division of field services in excess of $50,000 at the end of the fiscal year shall lapse to the general fund. Administrative fees shall be paid by the offender in addition to and when each restitution payment is made.

114:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 25, 2018
Effective Date: July 24, 2018