

(12) THE COURT COST IN A MUNICIPAL INFRACTION CASE IN WHICH COSTS ARE IMPOSED ARE \$5. A DEFENDANT SHALL NOT BE LIABLE FOR PAYMENT TO THE CRIMINAL INJURY COMPENSATION FUND.

(13) WHEN A DEFENDANT HAS BEEN FOUND GUILTY OF A MUNICIPAL INFRACTION AND A FINE HAS BEEN IMPOSED BY THE COURT, THE COURT MAY, AT ITS DISCRETION, DIRECT THAT THE PAYMENT OF SAID FINE BE SUSPENDED OR DEFERRED UNDER SUCH CONDITIONS AS THE COURT MAY ESTABLISH. WHENEVER ANY DEFENDANT HAS BEEN FOUND GUILTY OF A MUNICIPAL INFRACTION AND WILLFULLY FAILS TO PAY THE FINE IMPOSED BY THE COURT, THAT WILLFUL FAILURE MAY BE TREATED AS A CRIMINAL CONTEMPT OF COURT, FOR WHICH THE DEFENDANT MAY BE PUNISHED BY THE COURT AS IS PROVIDED BY LAW IN SUCH CASES.

(14) A DEFENDANT WHO HAS BEEN FOUND GUILTY OF A MUNICIPAL INFRACTION SHALL HAVE THE SAME RIGHTS TO FILE A MOTION FOR A NEW TRIAL OR A MOTION FOR A REVISION OF A JUDGMENT AS ARE NOW PROVIDED BY LAW OR RULE IN THE TRIAL OF A CRIMINAL CASE. THE SAID MOTIONS SHALL BE MADE IN THE SAME MANNER AS IS NOW PROVIDED IN THE TRIAL OF CRIMINAL CASES, AND THE COURT, IN RULING ON SAID MOTIONS, SHALL HAVE THE SAME AUTHORITY AS IS NOW PROVIDED IN THE TRIAL OF CRIMINAL CASES.

(15) THE STATE'S ATTORNEY OF ANY COUNTY IS AUTHORIZED TO PROSECUTE A MUNICIPAL INFRACTION IN THE SAME MANNER AS HE IS NOW PERMITTED BY LAW TO PROSECUTE A VIOLATION OF THE CRIMINAL LAWS OF THIS STATE. THE STATE'S ATTORNEY IS AUTHORIZED TO ENTER A NOLLE PROSEQUI IN SUCH CASES OR TO PLACE SUCH CASES ON THE STET DOCKET, AND HE SHALL EXERCISE THAT AUTHORITY IN THE SAME MANNER AS IS NOW PRESCRIBED BY LAW OR RULE FOR VIOLATION OF THE CRIMINAL LAWS OF THIS STATE.

Article 38 - Fines and Forfeitures

1.

When any fine or penalty is imposed by any act of Assembly of this State or by any ordinance of any incorporated city or town in this State enacted in pursuance of sufficient authority, for the doing of any act forbidden to be done by such act of Assembly or ordinance, or for omitting to do any act required to be done by such act of Assembly or ordinance, the doing of such act or the omission to do such act shall be deemed to be a criminal offense UNLESS THE OFFENSE IS DEFINED AS A MUNICIPAL INFRACTION. Any such offense may be prosecuted by the arrest of the offender for such offense and by holding him to appear in or committing him for trial in the court which has jurisdiction in the said cases and shall proceed to try or dispose of the same in the same manner as other criminal cases may be tried or proceeded with or disposed of, or such offenses may be prosecuted by indictment in such court. If any person shall be adjudged guilty of any such offense by any court having