

7-504. FAILURE OR INABILITY TO PAY FINE.

(A) APPLICATION FOR REDUCTION.

A DEFENDANT WHO IS UNABLE TO PAY A FINE ORDERED BY A COURT MAY APPLY TO THE COURT FOR A REDUCTION OF THE FINE.

(B) COURT INVESTIGATION.

IF A DEFENDANT FAILS OR IS UNABLE TO PAY A FINE AS ORDERED BY A COURT, THE COURT MAY INVESTIGATE THE REASONS FOR THE FAILURE OR INABILITY TO PAY THE FINE, INCLUDING THE DEFENDANT'S FINANCIAL AND FAMILY SITUATION AND WHETHER NONPAYMENT OF THE FINE IS CONTUMACIOUS OR IS DUE TO INDIGENCE.

(C) ORDER BY COURT.

AFTER AN INVESTIGATION THAT A COURT CONSIDERS NECESSARY AS TO THE REASONS FOR THE FAILURE OR INABILITY TO PAY A FINE, THE COURT:

(1) MAY ORDER THAT THE INDIVIDUAL BE COMMITTED TO A CORRECTIONAL FACILITY;

(2) MAY REDUCE THE FINE TO AN AMOUNT THAT THE COURT DETERMINES THE DEFENDANT IS ABLE TO PAY; OR

(3) SUBJECT TO SUBSECTION (D) OF THIS SECTION, MAY DIRECT THAT THE INDIVIDUAL BE IMPRISONED UNTIL PAYMENT OF:

(I) THE FINE; OR

(II) PART OF THE FINE THAT IS UNDISCHARGED AFTER A PRO RATA CREDIT FOR TIME SERVED INSTEAD OF PAYMENT.

(D) LIMITATIONS.

(1) SUBJECT TO THE LIMITATIONS IN THIS SUBSECTION, THE COURT SHALL DETERMINE THE PERIOD OF IMPRISONMENT FOR DEFAULT IN PAYMENT OF A FINE.

(2) THE PERIOD OF IMPRISONMENT MAY NOT EXCEED:

(I) 1 DAY FOR EACH \$10 OF THE FINE; AND

(II) IF THE FINE WAS IMPOSED FOR A CRIME SUBJECT TO PUNISHMENT BY IMPRISONMENT, ONE-THIRD OF THE MAXIMUM TERM AUTHORIZED BY THE STATUTE OR ORDINANCE UNDER WHICH THE INDIVIDUAL WAS CONVICTED, OR 90 DAYS, WHICHEVER IS LESS; OR

(III) IF THE FINE WAS IMPOSED FOR A CRIME THAT IS NOT SUBJECT TO PUNISHMENT BY IMPRISONMENT, ABSENT DEFAULT IN PAYMENT OF A FINE, 15 DAYS.