§3039. Clients' money

When any client confined in a correctional or detention facility receives money from any source, including compensation for work authorized under other sections of Maine law or by a policy of the department, the money must be deposited in the department's general client account or, as provided in subsection 4, in the department's telephone call account. Money deposited in either account must be credited to the client receiving it. [PL 2005, c. 506, §7 (AMD).]

1. General client account. The commissioner shall adopt rules for use of the general client account. These rules must include a provision allowing a client to remove that client's money from the general client account and place it in any type of investment outside the facility chosen by the client. The commissioner shall keep a record of all money in the general client account and is responsible for safekeeping of the client's money while the client is in the custody of the department and for the delivery of that money to the client, subject to any collections provided for by statute or rule, upon the client's discharge or transfer to supervised community confinement or community reintegration status.
[PL 2005, c. 506, §7 (AMD).]

2. Interest. Any interest accruing as a result of the deposit of money in the general client account may, after first being used to defray expenses of the account, be expended by the commissioner for the general welfare of clients confined in the department's correctional and detention facilities in accordance with rules adopted by the commissioner.
[PL 2005, c. 506, §7 (AMD).]

3. Use. During the client's confinement, any client may use that client's money in the general client account by authorizing the commissioner to disburse the money in accordance with the rules governing the general client account.
[PL 2005, c. 506, §7 (AMD).]

4. Telephone call account. The commissioner may establish a telephone call account for the sole purpose of paying for use of the department's client telephone system and into which money received by clients may be deposited. Money received by a client and clearly designated by the sender for paying for telephone calls must be directly deposited into the telephone call account. In addition, a client may remove the client's money from the general client account and deposit it into the telephone call account. Once deposited into the telephone call account, the client may use the money only for paying for the client's telephone calls. Any money received by a client and not used for paying for the client's telephone calls must be transferred from the telephone call account to the department's general client account at the time of the client's discharge or transfer to supervised community confinement or community reintegration status and is subject to any collections provided for by statute or rule prior to delivery to the client. The commissioner shall keep a record of all money in the telephone call account and is responsible for safekeeping of the client's money while the client is in the custody of the department and for the transfer of that money to the general client account and delivery to the client as set out in this section.
[PL 2005, c. 506, §7 (NEW).]

5. Billing. A correctional facility or detention facility may not bill an indigent client for future payment of services and medications.
[PL 2021, c. 620, §7 (NEW).]

6. Credit improvement loan. The commissioner may allow a client, in accordance with rules adopted by the commissioner, to receive a loan from a financial institution without the loan money being deposited in the department's general client account or the department's telephone call account if:

A. The loan is designed to improve the client's credit score; [PL 2025, c. 6, §5 (NEW).]

B. The loan money is deposited in the client's savings account at the financial institution; [PL 2025, c. 6, §5 (NEW).]

C. The loan is secured in full by money disbursed by the client from the department's general client account to the client's savings account at the financial institution after any collections provided for by statute or rule; and [PL 2025, c. 6, §5 (NEW).]

D. The loan is required to be repaid in full from the secured money under paragraph C or from other money disbursed by the client from the department's general client account after collections provided for by statute or rule. [PL 2025, c. 6, §5 (NEW).]

As used in this subsection, "financial institution" has the same meaning as in Title 9-B, section 131, subsection 17 and includes a credit union as defined in Title 9-B, section 131, subsection 12.

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.
[PL 2025, c. 6, §5 (NEW).]

SECTION HISTORY

PL 1983, c. 459, §6 (NEW). PL 1983, c. 581, §§21,59 (RPR). PL 1991, c. 314, §45 (AMD). PL 2005, c. 329, §11 (AMD). PL 2005, c. 506, §7 (AMD). PL 2021, c. 620, §7 (AMD). PL 2025, c. 6, §5 (AMD).

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