

PL ARTICLE 80: FINES.

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Maximum non-corporate felony fine = greatest of: \$5k, 2x crime gain [value of property gained during commission, less any amount returned to victim or seized/surrendered]; OR P.L. 220/221 (drug felony): AI = \$100k; AII = \$50k; B = \$30k; C = \$15k.

Court shall consider defendant's profit by illegal conduct; whether fine be disproportionate to such conduct; the impact to victim(s); defendant's economic situation, including ability to pay and effect on immediate family/support obligation. If fine based on gain, Court shall make such finding; may hold a hearing as necessary if record otherwise unclear.

Any fine over and above \$5k is State property, and shall be given to Comptroller for Alcohol/Substance Abuse Rehab Fund.

Fines for Vehicle & Traffic Law offenses are determined as specified therein.

If Court fines defendant for desecrating a cemetery: at least 10% goes to Cemetery Vandalism Restoration Fund.

Maximum non-corporate Class A misdemeanor fine = \$1k; MAY 2x gain for Unlawful Disposing of Forfeited Assets. Class B = up to \$500; Violation = up to \$250 (unless other amount specified by statute for non-P.L. Class B misdemeanor). Unclassified Misdemeanor fines are determined by relevant statute.

For violation of Environmental Conservation Law [illegally taking fees and allowing shooting of non-native big game mammals]: MAY 2x gain, up to max = \$5k; NOT apply to corporations!

P.L. Corporate fine maximum (or of another statute's offense where not there specified): felony = \$10k OR 2x gain; A misdemeanor (or unclassified with allowable prison > 3 months) = \$5k; B mis (or unclassified with allowable prison < 3 months) = \$2k; Violation = \$500. Else non-P.L. offense not greater than statute's limit, OR 2x gain.

EXCEPT FOR VTL!: where 2 crimes are resultant of same act - or materially related - a fine OR prison for one offense precludes fining another.