

§61. Individual liability for conduct on behalf of organization

1. An individual is criminally liable for any conduct the individual performs in the name of an organization or in its behalf to the same extent as if it were performed in the individual's own name or behalf. Such an individual must be sentenced as if the conduct had been performed in the individual's own name or behalf.

[PL 2007, c. 173, §15 (AMD).]

2. If a criminal statute imposes a duty to act on an organization, any agent of the organization having primary responsibility for the discharge of the duty is criminally liable if the agent recklessly omits to perform the required act, and the agent must be sentenced as if the duty were imposed by law directly upon the agent.

[PL 2007, c. 173, §15 (AMD).]

SECTION HISTORY

PL 1975, c. 499, §1 (NEW). PL 2007, c. 173, §15 (AMD).

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