

**§60. Criminal liability of an organization**

1. An organization is guilty of a crime when:

A. It omits to discharge a specific duty of affirmative performance imposed on it by law, and the omission is prohibited by this code or by a statute defining a criminal offense outside of this code; or [PL 1975, c. 499, §1 (NEW).]

B. The conduct or result specified in the definition of the crime is engaged in or caused by an agent of the organization while acting within the scope of the agent's office or employment. [PL 2007, c. 173, §14 (AMD).]

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2. It is no defense to the criminal liability of an organization that the individual upon whose conduct the liability of the organization is based has not been prosecuted or convicted, has been convicted of a different offense, or is immune from prosecution.

[PL 1975, c. 499, §1 (NEW).]

**SECTION HISTORY**

PL 1975, c. 499, §1 (NEW). PL 2007, c. 173, §14 (AMD).

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