
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 795 Session of
1999

INTRODUCED BY O'PAKE, BODACK, WAGNER, COSTA, MUSTO, STAPLETON,
KASUNIC AND MELLOW, APRIL 12, 1999

REFERRED TO JUDICIARY, APRIL 12, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the liability of
3 a corporation for commission of an offense.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 307(a) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 307. Liability of organizations and certain related persons.

9 (a) Corporations generally.--A corporation may be convicted
10 of the commission of an offense if:

11 (1) the offense is a summary offense or the offense is
12 defined by a statute [other than this title] in which a
13 legislative purpose to impose liability on corporations
14 plainly appears and the conduct is performed by an agent of
15 the corporation acting in behalf of the corporation within
16 the scope of his office or employment, except that if the law
17 defining the offense designates the agents for whose conduct
18 the corporation is accountable or the circumstances under

1 which it is accountable, such provisions shall apply;

2 (2) the offense consists of an omission to discharge a
3 specific duty of affirmative performance imposed on
4 corporations by law; or

5 (3) the commission of the offense was authorized,
6 requested, commanded, performed or recklessly tolerated by
7 the board of directors or by a high managerial agent acting
8 in behalf of the corporation within the scope of his office
9 or employment.

10 * * *

11 Section 2. This act shall apply to offenses committed on or
12 after the effective date of this act.

13 Section 3. This act shall take effect in 60 days.