

§1503. Sanctions for organizations

1. Notice to those interested in or affected by conviction. If an organization is convicted of a crime, the court may, in addition to or in lieu of imposing other authorized penalties, sentence the organization to give appropriate publicity to the conviction by notice to the class or classes of persons or sector of the public interested in or affected by the conviction, by advertising in designated areas or by designated media or otherwise as the court may direct. Failure of the organization to provide the notice required by the court may be punishable as contempt of court.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

2. Disqualification from holding office. If a director, trustee or managerial agent of an organization is convicted of a Class A or Class B crime committed on behalf of the organization, the court may include in the sentence an order disqualifying that individual from holding office in the same or another organization for a period not exceeding 5 years, if the court finds that the scope or nature of that individual's illegal actions makes it dangerous or inadvisable for such office to be entrusted to that individual.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

3. Deferred disposition. The court may accept a plea agreement between the attorney for the State and the defendant that provides for an agreed-upon authorized sentencing alternative the imposition of which is deferred in accordance with chapter 67, subchapter 4.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

4. Supplementary proceedings for damages. Prior to the imposition of sentence, the court may direct the Attorney General, a district attorney or any other attorney specially designated by the court to institute supplementary proceedings in the case in which the organization was convicted of the crime to determine, collect and distribute damages to persons in the class that the statute was designed to protect who suffered injuries by reason of the crime, if the court finds that the multiplicity of small claims or other circumstances make restitution by individual suit impractical. Such supplementary proceedings must be pursuant to rules adopted by the Supreme Judicial Court for this purpose. The court in which proceedings authorized by this subsection are commenced may order the State to make available to the attorney appointed to institute such proceedings all documents and investigative reports as are in the State's possession or control and grand jury minutes as are relevant to the proceedings.

[PL 2019, c. 113, Pt. A, §2 (NEW).]

SECTION HISTORY

PL 2019, c. 113, Pt. A, §2 (NEW).

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