

## **502.050 Corporate liability.**

- (1) A corporation is guilty of an offense when:
  - (a) The conduct constituting the offense consists of a failure to discharge a specific duty imposed upon corporations by law; or
  - (b) The conduct constituting the offense is engaged in, authorized, commanded or wantonly tolerated by the board of directors or by a high managerial agent acting within the scope of his employment in behalf of the corporation; or
  - (c) The conduct constituting the offense is engaged in by an agent of the corporation acting within the scope of his employment and in behalf of the corporation and:
    1. The offense is a misdemeanor or violation; or
    2. The offense is one defined by a statute which clearly indicates a legislative intent to impose such criminal liability on a corporation.
- (2) As used in this section:
  - (a) "Agent" means any officer, director, servant or employee of the corporation or any other person authorized to act in behalf of the corporation.
  - (b) "High managerial agent" means an officer of a corporation or any other agent of a corporation who has duties of such responsibility that his conduct reasonably may be assumed to represent the policy of the corporation.

**Effective:** January 1, 1975

**History:** Created 1974 Ky. Acts ch. 406, sec. 24, effective January 1, 1975.