

CHAPTER 1085

S.B. No. 1277

AN ACT

relating to the punishment of corporations or associations convicted of a criminal offense; providing penalties.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 12.51, Penal Code, is amended to read as follows:

Sec. 12.51. AUTHORIZED PUNISHMENTS FOR CORPORATIONS AND ASSOCIATIONS. (a) If a corporation or association is adjudged guilty of an offense that provides a penalty consisting of a fine only, a court may sentence the corporation or association to pay a fine in an amount fixed by the court, not to exceed the fine provided by the offense.

(b) If a corporation or association is adjudged guilty of an offense that provides a penalty including imprisonment, or that provides no specific penalty, a court may sentence the corporation or association to pay a fine in an amount fixed by the court, not to exceed:

(1) \$20,000 if the offense is a felony of any category;

(2) \$10,000 if the offense is a Class A or Class B misdemeanor; ~~or~~

(3) \$2,000 if the offense is a Class C misdemeanor; *or*

(4) *\$50,000 if, as a result of an offense classified as a felony or Class A misdemeanor, an individual suffers serious bodily injury or death.*

(c) In lieu of the fines authorized by Subsections (a), ~~and~~ (b)(1), ~~and~~ (b)(2), *and (b)(4)* of this section, if a court finds that the corporation or association gained money or property or caused personal injury *or death*, property damage, or other loss through the commission of a felony or Class A or Class B misdemeanor, the court may sentence the corporation or association to pay a fine in an amount fixed by the court, not to exceed double the amount gained or caused by the corporation *or association* to be lost *or damaged*, whichever is greater.

(d) In addition to any sentence that may be imposed by this section, a corporation *or association* that has been adjudged guilty of an offense may be ordered by the court to give notice of the conviction to any person the court deems appropriate.

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 29, 1987, by a viva-voce vote. Passed the House on May 22, 1987, by a non-record vote.

Approved June 20, 1987.

Effective Sept. 1, 1987.