

32B-4-302 Criminal responsibility for conduct of another.

In addition to Title 76, Chapter 2, Part 2, Criminal Responsibility for Conduct of Another, the following principles apply to a violation of this title:

- (1)
 - (a) If a violation of this title is committed by a person in the employ of the occupant of premises in which the offense is committed, or by a person who is required by the occupant to be or remain in or upon the premises, or to act in any way for the occupant, notwithstanding the fact that the offense is committed by a person who is not proved to have committed it under or by the direction of the occupant, the occupant is:
 - (i) prima facie considered a party to the offense committed; and
 - (ii) liable as a principal offender.
 - (b) This section does not relieve the person actually committing the offense from liability.
- (2)
 - (a) If a violation of this title is committed by a corporation, association, partnership, or limited liability company, an officer or agent of the corporation or association, a partner of the partnership, or a manager or member of the limited liability company in charge of the premises in which the offense is committed is:
 - (i) prima facie considered a party to the offense committed; and
 - (ii) personally liable to the penalties prescribed for the offense as a principal offender.
 - (b) This section does not relieve the corporation, association, partnership, or limited liability company, or the person who actually committed the offense from liability.

Enacted by Chapter 276, 2010 General Session