

-CITE-

18 USC Sec. 3571

01/22/02

-EXPCITE-

TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART II - CRIMINAL PROCEDURE
CHAPTER 227 - SENTENCES
SUBCHAPTER C - FINES

-HEAD-

Sec. 3571. Sentence of fine

-STATUTE-

(a) In General. - A defendant who has been found guilty of an offense may be sentenced to pay a fine.

(b) Fines for Individuals. - Except as provided in subsection (e) of this section, an individual who has been found guilty of an offense may be fined not more than the greatest of -

- (1) the amount specified in the law setting forth the offense;
- (2) the applicable amount under subsection (d) of this section;
- (3) for a felony, not more than \$250,000;
- (4) for a misdemeanor resulting in death, not more than \$250,000;
- (5) for a Class A misdemeanor that does not result in death, not more than \$100,000;
- (6) for a Class B or C misdemeanor that does not result in death, not more than \$5,000; or
- (7) for an infraction, not more than \$5,000.

(c) Fines for Organizations. - Except as provided in subsection (e) of this section, an organization that has been found guilty of an offense may be fined not more than the greatest of -

- (1) the amount specified in the law setting forth the offense;
- (2) the applicable amount under subsection (d) of this section;
- (3) for a felony, not more than \$500,000;
- (4) for a misdemeanor resulting in death, not more than \$500,000;
- (5) for a Class A misdemeanor that does not result in death, not more than \$200,000;
- (6) for a Class B or C misdemeanor that does not result in death, not more than \$10,000; and
- (7) for an infraction, not more than \$10,000.

(d) Alternative Fine Based on Gain or Loss. - If any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss, unless imposition of a fine under

this subsection would unduly complicate or prolong the sentencing process.

(e) Special Rule for Lower Fine Specified in Substantive Provision. - If a law setting forth an offense specifies no fine or a fine that is lower than the fine otherwise applicable under this section and such law, by specific reference, exempts the offense from the applicability of the fine otherwise applicable under this section, the defendant may not be fined more than the amount specified in the law setting forth the offense.

-SOURCE-

(Added Pub. L. 98-473, title II, Sec. 212(a)(2), Oct. 12, 1984, 98 Stat. 1995; amended Pub. L. 100-185, Sec. 6, Dec. 11, 1987, 101 Stat. 1280.)

-MISC1-

PRIOR PROVISIONS

For a prior section 3571, applicable to offenses committed prior to Nov. 1, 1987, see note set out preceding section 3551 of this title.

AMENDMENTS

1987 - Pub. L. 100-185 amended section generally, revising and restating as subsecs. (a) to (e) provisions formerly contained in subsecs. (a) and (b).

EFFECTIVE DATE

Section effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of this section, see section 235(a)(1) of Pub. L. 98-473, set out as a note under section 3551 of this title.

-SECRET-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 3, 19, 248, 373, 1031 of this title; title 15 section 6823; title 20 sections 9007, 9010; title 28 section 636; title 31 section 5324; title 42 sections 2273, 7412; title 49 section 11908.