

TITLE 22
AGRICULTURE AND HORTICULTURE

CHAPTER 50
CROP PRODUCT DESTRUCTION

22-5001. DESTRUCTION OF AGRICULTURAL OR HORTICULTURAL CROP PRODUCT -- DAMAGES. (1) Any person or entity who willfully and knowingly damages or destroys any agricultural or horticultural crop product that is grown for personal or commercial purposes and that is also grown for testing or research in the context of a product development program in conjunction or coordination with a private research facility or a university or any federal, state, or local government agency, shall be liable for twice the value of the crop damaged or destroyed, together with attorney's fees and costs.

(2) In awarding damages under this section, the courts shall consider the market value of the crop prior to damage or destruction, and production, research, testing, replacement and crop development costs directly related to the crop that has been damaged or destroyed as part of the value of the crop.

(3) Damages available under this section shall be limited to twice the market value of the crop prior to damage or destruction plus twice the actual damages involving production, research, testing, replacement and crop development costs directly related to the crop that has been damaged or destroyed.

[22-5001, added 2001, ch. 324, sec. 1, p. 1139.]