

By: Senator(s) Hamilton

To: Judiciary

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2790

1 AN ACT TO PROVIDE THAT A PERSON WHO WILLFULLY DESTROYS ANY
2 FIELD CROP SHALL BE LIABLE FOR TWICE THE VALUE OF THE CROP
3 DESTROYED.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. (1) Any person or entity who willfully and
6 knowingly damages or destroys any field crop product that is grown
7 for personal or commercial purposes, or for testing or research
8 purposes in the context of a product development program in
9 conjunction or coordination with a private research facility or a
10 university or any federal, state or local government agency, shall
11 be liable for twice the value of the crop damaged or destroyed.

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

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

22 (4) For the purposes of this section, "field crop" means any
23 product grown, developed or raised for purposes, including, but
24 not limited to, human or animal consumption, research, industrial,
25 commercial or pharmacological purposes.

26 SECTION 2. This act shall take effect and be in force from
27 and after July 1,2001.