

By: Representative Owen

To: Judiciary B; Agriculture

## HOUSE BILL NO. 1310

1 AN ACT TO PROVIDE THAT THE INTENTIONAL AND WILLFUL FALSE  
2 ALLEGATIONS OF DAMAGE AS AN ALLEGED DIRECT RESULT FROM CERTAIN  
3 PESTICIDES, FERTILIZERS AND OTHER AGENTS THROUGH CHEMIGATION,  
4 FERTIGATION AND AERIAL APPLICATION SHALL BE DEEMED A MISDEMEANOR  
5 ON THE THIRD OCCURRENCE OF SUCH FALSE REPORTING TO A LAW  
6 ENFORCEMENT AGENCY OR THE MISSISSIPPI DEPARTMENT OF AGRICULTURE  
7 AND COMMERCE; TO PRESCRIBE PENALTIES FOR SAID VIOLATIONS; TO  
8 STIPULATE THAT INCONCLUSIVE FINDINGS BY THE BUREAU OF PLANT  
9 INDUSTRY OF DAMAGES REPORTED CAUSED BY DRIFT OR SPRAY SHALL NOT  
10 ACCOUNT FOR ONE OF THE THREE FALSE CLAIM VIOLATIONS; AND FOR  
11 RELATED PURPOSES.

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

13 **SECTION 1.** (1) It shall be unlawful for any person to  
14 intentionally and willfully make false claim of damages to a law  
15 enforcement agency or to the Mississippi Department of Agriculture  
16 and Commerce, alleged to be a direct result from the use and  
17 application of pesticides, herbicides, insecticides, fungicides,  
18 rodenticides, fumigants, and plant growth regulators, fertilizers  
19 and other agents through the processes of chemigation, fertigation  
20 or aerial applicators. Any person who violates the provisions of  
21 this section shall, upon the third occurrence, be guilty of a  
22 misdemeanor, and upon conviction, shall be imprisoned in the



23 county jail for a period of six (6) months, a fine not to exceed  
24 less than One Thousand Dollars (\$1,000.00), or both, plus any  
25 additional amounts for attorney's fees, costs for law enforcement  
26 compensation, court costs and/or court fees created or caused as a  
27 result of the allegations.

28 (2) Subject to the Mississippi Department of Agriculture and  
29 Commerce Bureau of Plant Industry, any claims for damages alleged  
30 to be the result from drift or spray application be deemed  
31 inconclusive shall not be considered a violation of subsection (1)  
32 of this act, for purposes of being considered one (1) the three  
33 (3) qualifying false claim violations.

34 **SECTION 2.** This act shall take effect and be in force from  
35 and after July 1, 2025.

