

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1492 Session of
2001

INTRODUCED BY BUNT, DALEY, STERN, HERMAN, ARMSTRONG, BASTIAN,
BENNINGHOFF, CALTAGIRONE, CAPPABIANCA, CAPPELLI, CLARK,
CLYMER, L. I. COHEN, COY, CREIGHTON, FAIRCHILD, FEESE,
FICHTER, GEIST, GRUCELA, HARHAI, HARPER, HENNESSEY, HERSHEY,
HESS, HORSEY, JAMES, KIRKLAND, LAUGHLIN, MAITLAND,
MCILHINNEY, S. MILLER, NAILOR, PHILLIPS, PRESTON, ROSS,
SATHER, SCHULER, SEMMEL, SHANER, SOLOBAY, E. Z. TAYLOR,
J. TAYLOR, TIGUE, WALKO, WATSON, WILT, YOUNGBLOOD AND ZUG,
MAY 2, 2001

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 4, 2001

AN ACT

1 Providing for the protection of agricultural crops AND LIVESTOCK <—
2 from being intentionally and knowingly damaged.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Crop AND <—
7 LIVESTOCK Protection Act.

8 Section 2. Offense.

9 (a) Liability.--Any person or entity who intentionally and
10 knowingly damages OR ADDS HAZARDOUS OR RESIDUAL WASTE TO <—
11 UNTESTED SEWAGE SLUDGE THAT DAMAGES any field crop ~~that is grown~~ <—
12 ~~for personal or commercial purposes, or for testing or research~~
13 ~~purposes for a product development program,~~ VEGETABLE OR FRUIT <—
14 PLANT OR PRODUCT, TREE OR LIVESTOCK THAT IS GROWN, STORED OR

1 RAISED FOR PERSONAL, SCIENTIFIC OR COMMERCIAL PURPOSES OR FOR
2 ANY TESTING OR RESEARCH PURPOSE in conjunction with a public or
3 private research facility or a university or any Federal, State
4 or local government agency, shall be liable for damages,
5 attorney fees and litigation costs as provided in subsections
6 (b) and (c).

7 (b) Valuation.--In awarding damages under this section, the
8 courts shall consider the market value of the crop OR LIVESTOCK <—
9 prior to damage and production, research, testing, replacement
10 and crop development costs directly related to the crop that has
11 been damaged as part of the value of the crop, AS WELL AS DAMAGE <—
12 TO ANY RESEARCH RECORDS, DATA AND DATA-GATHERING EQUIPMENT OR
13 DEVICES.

14 (c) Limitations.--Damages available under this section shall
15 be limited to treble the market value of the crop OR LIVESTOCK <—
16 prior to damage plus treble the actual damages involving
17 production, research, testing, replacement and crop development
18 costs directly related to the crop that has been damaged.

19 Section 3. Effective date.

20 This act shall take effect immediately.