

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1493 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 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, FURTHER PROVIDING FOR AGRICULTURAL <—
3 VANDALISM; AND providing for the criminal offense of
4 agricultural crop OR LIVESTOCK destruction. <—

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 ~~Section 1. Title 18 of the Pennsylvania Consolidated <—
8 Statutes is amended by adding a section to read:~~

9 SECTION 1. SECTION 3309(C) OF TITLE 18 OF THE PENNSYLVANIA <—
10 CONSOLIDATED STATUTES IS AMENDED TO READ:

11 § 3309. AGRICULTURAL VANDALISM.

12 * * *

13 (C) DEFINITION.--AS USED IN THIS SECTION, THE TERMS
14 "AGRICULTURAL ACTIVITY" AND "FARMING" [MEAN] INCLUDE PUBLIC AND
15 PRIVATE RESEARCH ACTIVITY, RECORDS, DATA AND DATA-GATHERING

1 EQUIPMENT RELATED TO AGRICULTURAL PRODUCTS AS WELL AS THE
2 COMMERCIAL PRODUCTION OF AGRICULTURAL CROPS, LIVESTOCK OR
3 LIVESTOCK PRODUCTS, POULTRY OR POULTRY PRODUCTS, TREES AND
4 TIMBER PRODUCTS, MILK, EGGS OR DAIRY PRODUCTS, OR FRUITS OR
5 OTHER HORTICULTURAL PRODUCTS.

6 SECTION 2. TITLE 18 IS AMENDED BY ADDING A SECTION TO READ:

7 § 3310. Agricultural crop OR LIVESTOCK destruction. <—

8 (a) Offenses defined.--A person commits a felony of the
9 second degree if he intentionally and knowingly damages OR ADDS <—
10 HAZARDOUS OR RESIDUAL WASTE TO UNTESTED SEWAGE SLUDGE THAT
11 DAMAGES any field crop that is grown for personal or commercial <—
12 purposes, or for testing or research purposes for a product
13 development program, VEGETABLE OR FRUIT PLANT OR PRODUCT, TREE <—
14 OR LIVESTOCK THAT IS GROWN, STORED OR RAISED FOR PERSONAL,
15 SCIENTIFIC OR COMMERCIAL PURPOSES OR FOR ANY TESTING OR RESEARCH
16 PURPOSE in conjunction with a public or private research
17 facility or a university or any Federal, State or local
18 government agency.

19 (B) SCOPE.--THE SCOPE OF THIS OFFENSE SHALL INCLUDE THE <—
20 DAMAGING OF ANY RESEARCH RECORDS, DATA OR DATA-GATHERING
21 EQUIPMENT OR DEVICE.

22 ~~(b)~~ (C) Restitution; costs and fees.--Any person convicted <—
23 under subsection (a) OR (B) may also be sentenced to make <—
24 restitution and be ordered to pay attorney fees and court costs.

25 Section 2 3. This act shall take effect immediately. <—