

FIRST REGULAR SESSION

# SENATE BILL NO. 302

91ST GENERAL ASSEMBLY

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INTRODUCED BY SENATORS JOHNSON, WESTFALL AND FOSTER.

Read 1st time January 16, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1288S.011

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## AN ACT

To amend chapter 537, RSMo, by adding thereto one new section relating to liability for crop damage and destruction.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 537, RSMo, is amended by adding thereto one new section, to be known as section 537.353, to read as follows:

**537.353. 1. Any person or entity who knowingly damages or destroys any field crop product that is grown for personal or commercial purposes, or for testing or research purposes in the context of a product development program in conjunction or coordination with a private research facility, a university, or any federal, state or local government agency, shall be liable for double damages pursuant to this section.**

**2. In awarding damages pursuant to this section, the courts shall consider the following:**

- (1) The market value of the crop prior to damage or destruction; and**
- (2) The actual damages involving production, research, testing replacement and crop development costs directly related to the crop that has been damaged or destroyed.**