

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SCS/Senate Bill No. 663, Page 41, Section 565.225, Line 58,

2 by inserting after all of said line the following:

3 "569.132. 1. This section shall be known and may be cited
4 as the "Crop Protection Act".

5 2. A person commits the offense of prohibited acts
6 involving crops if he or she:

7 (1) Intentionally causes the loss of any crop;

8 (2) Intentionally contaminates, weakens, damages,
9 vandalizes, or steals any property in or on land on which a crop
10 is located;

11 (3) Obtains access to a crop by false pretenses for the
12 purpose of performing acts not authorized by the landowner;

13 (4) Enters or otherwise interferes with a crop with the
14 intent to destroy, alter, duplicate or obtain unauthorized
15 possession of such crop;

16 (5) Knowingly obtains, by theft or deception, control over
17 a crop for the purpose of depriving the rightful owner of such
18 crop, or for the purpose of destroying such crop; or

19 (6) Enters or remains on land on which a crop is located
20 with the intent to commit an act prohibited by this section.

21 3. The offense of prohibited acts involving crops is a

1 class A misdemeanor for each such violation unless:

2 (1) The loss or damage to the crop is seven hundred fifty
3 dollars or more, in which case it is a class E felony;

4 (2) The loss or damage to the crop is one thousand dollars
5 or more, in which case it is a class D felony;

6 (3) The loss or damage to the crop is twenty-five thousand
7 dollars or more, in which case it is a class C felony;

8 (4) The loss or damage to the crop is seventy-five thousand
9 dollars or more, in which case it is a class B felony.

10 4. Any person who has been damaged by a violation of this
11 section shall have a civil cause of action under section 537.353.

12 5. Nothing in this section shall preclude any owner or
13 operator injured in his or her business or on his or her property
14 by a violation of this section from seeking appropriate relief
15 under any other provision of law or remedy including the issuance
16 of an injunction against any person who violates this section.
17 The owner or operator of the business may petition the court to
18 permanently enjoin such persons from violating this section, and
19 the court shall provide such relief.

20 6. The director of the department of agriculture shall have
21 the authority to investigate any alleged violation of this
22 section, along with any other law enforcement agency, and may
23 take any action within the director's authority necessary for the
24 enforcement of this section. The attorney general, the highway
25 patrol, and other law enforcement officials shall provide
26 assistance required for the investigation.

27 7. The director may promulgate rules and regulations
28 necessary for the enforcement of this section. Any rule or
29 portion of a rule, as that term is defined in section 536.010

1 that is created under the authority delegated in this section
2 shall become effective only if it complies with and is subject to
3 all of the provisions of chapter 536, and, if applicable, section
4 536.028. This section and chapter 536 are nonseverable and if
5 any of the powers vested with the general assembly under chapter
6 536, to review, to delay the effective date, or to disapprove and
7 annul a rule are subsequently held unconstitutional, then the
8 grant of rulemaking authority and any rule proposed or adopted
9 after January 1, 2017, shall be invalid and void."; and

10 Further amend said bill, Page 60, Section 578.040, Line 28,
11 by inserting after all of said line the following:

12 "578.416. No person shall:

13 (1) Intentionally cause the loss of any crop;

14 (2) Intentionally contaminate, weaken, damage, vandalize,
15 or steal any property in or on a crop;

16 (3) Obtain access to a crop by false pretenses for the
17 purpose of performing acts not authorized by the landowner;

18 (4) Enter or otherwise interfere with a crop with the
19 intent to destroy, alter, duplicate or obtain unauthorized
20 possession of such crop;

21 (5) Knowingly obtain, by theft or deception, control over a
22 crop for the purpose of depriving the rightful owner of such
23 crop, or for the purpose of destroying such crop;

24 (6) Enter or remain on land on which a crop is located with
25 the intent to commit an act prohibited by this section."; and

26 Further amend the title and enacting clause accordingly.