Field Crop Products: Civil Liability

This Act makes people liable for knowingly damaging or destroying any field crop that is subject to testing or product development conducted under contract with a state college, university or other federal, state or local government agency. The maximum liable amount is twice the actual value of the damaged or destroyed crop.

Submitted as:
California
AB 2510
Status: enacted into law in August 2000.

Suggested Legislation

(Title, enacting clause, etc.)

Section 1. [Short Title.] This Act may be cited as “An Act to Establish Civil Liability for Damaging or Destroying Field Crop Products.”

Section 2. [Destruction of Field Crop Products: Penalties.]
(a) Any person who willfully and knowingly damages or destroys any field crop product, as specified in [insert citation], that is known by the person to be the subject of testing or a product development program being conducted by, or in conjunction or cooperation with the [state university], the [state university system], or any other federal, state, or local government agency, shall be liable for [twice] the value of the crop damaged or destroyed. For purposes of this Act, “in conjunction or cooperation with” means having a contract with the [state university], the [state university system], or any other federal, state, or local government agency involving testing or a product development program relating to that field crop product.
(b) Damages available under this Act shall be limited to [twice] actual damages involving research, testing, and crop development costs directly related to the crop that has been damaged or destroyed.
(c) The rights and remedies available under this Act are in addition to any other rights or remedies otherwise available in law or statute.

Section 3. [Severability.] [Insert severability clause.]

Section 4. [Repealer.] [Insert repealer clause.]

Section 5. [Effective Date.] [Insert effective date.]