

State of Arizona
House of Representatives
Forty-fifth Legislature
First Regular Session
2001

CHAPTER 149

HOUSE BILL 2481

AN ACT

AMENDING TITLE 3, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 3-114; RELATING TO CROP DESTRUCTION OR REMOVAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 3, chapter 1, article 2, Arizona Revised Statutes,
3 is amended by adding section 3-114, to read:
4 3-114. Liability for unauthorized destruction of field crop
5 product; damages; definition
6 A. A PERSON WHO KNOWINGLY DAMAGES, DESTROYS OR REMOVES ANY LEGAL CROP
7 OR CROP PRODUCT THAT IS GROWN FOR COMMERCIAL PURPOSES OR FOR TESTING OR
8 RESEARCH PURPOSES IN THE CONTEXT OF A PRODUCT DEVELOPMENT PROGRAM IN
9 CONJUNCTION OR COORDINATION WITH A PRIVATE RESEARCH FACILITY, A UNIVERSITY
10 OR A FEDERAL, STATE OR LOCAL GOVERNMENT AGENCY IS LIABLE FOR:
11 1. UP TO TWICE THE MARKET VALUE OF THE DAMAGED, DESTROYED OR REMOVED
12 CROP, MEASURED BEFORE THE DAMAGE OR DESTRUCTION.
13 2. UP TO TWICE THE ACTUAL COSTS OF PRODUCTION, RESEARCH, TESTING,
14 REPLACEMENT AND CROP DEVELOPMENT DIRECTLY RELATED TO THE DAMAGED, DESTROYED
15 OR REMOVED CROP.
16 3. LITIGATION COSTS INCLUDING COURT COSTS, ATTORNEY FEES AND EXPERT
17 WITNESS FEES.
18 B. THE RIGHTS AND REMEDIES AVAILABLE UNDER THIS SECTION ARE IN
19 ADDITION TO ANY OTHER RIGHTS AND REMEDIES OTHERWISE AVAILABLE IN LAW.
20 C. FOR PURPOSES OF THIS SECTION, "IN CONJUNCTION OR COORDINATION"
21 MEANS HAVING A WRITTEN CONTRACT INVOLVING TESTING OR A PRODUCT DEVELOPMENT
22 PROGRAM RELATING TO THE FIELD CROP PRODUCT.

APPROVED BY THE GOVERNOR APRIL 18, 2001.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2001.



Passed the House March 07, 2001,

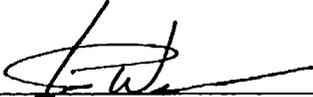
Passed the Senate April 4, 2001,

by the following vote: 43 Ayes,

by the following vote: 30 Ayes,

16 Nays, 1 Not Voting

0 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House


Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

H.B. 2481

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State
this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 12, 2001,

by the following vote: 45 Ayes,

11 Nays, 4 Not Voting

Jake Flake
Speaker of the House
Pro Tempore
Thomas L. Spore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

12 day of April, 2001,

at 1:44 o'clock P M.

Jandra Kane
Secretary to the Governor

Approved this 18 day of

April, 2001,

at 2:40 o'clock P M.

Janice Hull
Governor of Arizona

H.B. 2481

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19 day of April, 2001,

at 3:13 o'clock P M.

Patricia Bayless
Secretary of State