

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 218

Short Title: Treble Damages for Injury to Agricultural Crops. (Public)

Sponsors: Representatives Hill; Alexander, Barbee, Church, Coates, Cox, Creech, Davis, Edwards, Gray, Jarrell, McLawhorn, Owens, Redwine, Teague, Tolson, Tucker, Underhill, Warren, G. Wilson, and Wright.

Referred to: Agriculture, if favorable, Judiciary I.

February 22, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR TREBLE DAMAGES FOR THE INJURY TO, OR THE
3 DESTRUCTION OF, AGRICULTURAL CROPS AND PLANTS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 43 of Chapter 1 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 1-539.2B. Treble damages for injury to agricultural crops and plants;**
8 **additional damages for certain agricultural crops and plants.**

9 (a) Any person who willfully injures or destroys any other person's agricultural
10 crops or agricultural plants is liable for three times the value of the crops or plants
11 injured or destroyed.

12 (b) For purposes of this section, the value of agricultural crops or agricultural
13 plants that are grown for educational, testing, or research purposes include all of the
14 following:

15 (1) The diminution in market value of the crops or plants when the crops
16 or plants were grown for sale and the plaintiff is the entity who sold
17 the crops or plants or would have sold the crops or plants but for their
18 injury or destruction.

19 (2) Costs to the plaintiff for research and development of the injured or
20 destroyed crops or plants.

21 (3) Other incidental and consequential damages proven to have been
22 incurred by the plaintiff."

23 **SECTION 2.** This act becomes effective October 1, 2001, and applies to acts
24 that occur on or after that date.