
By: **Delegates Amedori, Baldwin, Bartlett, Boutin, Brinkley, DeCarlo,
Donoghue, Edwards, Elliott, Getty, Giannetti, Glassman, Kach, Klima,
McKee, Menes, O'Donnell, Owings, Parrott, Redmer, Riley, Shank,
Snodgrass, Stocksdale, Stull, Weir, Pielke, and Bates**

Introduced and read first time: February 8, 2002
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 5, 2002

CHAPTER _____

1 AN ACT concerning

2 **Agriculture - Crimes - ~~Farm Product and~~ Agricultural Research Protection**
3 **Act**

4 FOR the purpose of prohibiting a person from ~~willfully and~~ maliciously damaging or
5 destroying an agricultural research operation or ~~product~~ certain farm products;
6 establishing certain criminal ~~and civil~~ penalties for the ~~willful and~~ malicious
7 damage or destruction of an agricultural research operation or ~~product~~ certain
8 farm products; requiring certain compensation to certain persons; defining
9 certain terms; and generally relating to the damage or destruction of an
10 agricultural research operation or ~~product~~ certain farm products.

11 BY adding to
12 Article - Agriculture
13 Section 10-1601 to be under the new subtitle "Subtitle 16. Destruction of
14 Agricultural ~~Operations and~~ Research Operations and Related Farm
15 Products"
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2001 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Agriculture

2

SUBTITLE 16. DESTRUCTION OF AGRICULTURAL RESEARCH OPERATIONS AND
3 RELATED FARM PRODUCTS.

4 10-1601.

5 (A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.7 (2) "AGRICULTURAL RESEARCH OPERATION" MEANS LAND, BUILDINGS,
8 AND EQUIPMENT OWNED OR LEASED BY A FARMER, PRIVATE RESEARCH FACILITY,
9 UNIVERSITY, OR ANY FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCY, USED IN
10 THE PRODUCTION OF ~~AN AGRICULTURAL PRODUCT~~ A FARM PRODUCT THAT IS BEING
11 USED FOR TESTING OR RESEARCH PURPOSES.12 (3) "~~AGRICULTURAL FARM PRODUCT~~" HAS THE MEANING STATED IN §
13 10-601 OF THIS TITLE.14 (B) A PERSON MAY NOT ~~WILLFULLY OR~~ MALICIOUSLY DAMAGE OR DESTROY
15 AN AGRICULTURAL ~~OPERATION OR PRODUCT~~ RESEARCH OPERATION OR FARM
16 PRODUCT OF ANOTHER PERSON THAT IS BEING USED FOR TESTING OR RESEARCH BY
17 AN AGRICULTURAL RESEARCH OPERATION.18 (C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A ~~FELONY~~
19 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT
20 EXCEEDING ~~4 YEAR~~ 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.21 (D) IN ADDITION TO ANY OTHER FINES OR PENALTIES PROVIDED FOR A
22 VIOLATION OF THIS SECTION, A PERSON CONVICTED ~~OF THE UNLAWFUL~~
23 ~~DESTRUCTION OF AN AGRICULTURAL OPERATION OR PRODUCT SHALL BE REQUIRED~~
24 ~~TO COMPENSATE THE OWNER OF THE DAMAGED OR DESTROYED AGRICULTURAL~~
25 ~~OPERATION OR PRODUCT AT TWICE THE MARKET VALUE OF THE AGRICULTURAL~~
26 ~~OPERATION OR PRODUCT DAMAGED OR DESTROYED~~ UNDER THIS SECTION SHALL BE
27 REQUIRED TO COMPENSATE THE OWNER OR LESSOR OF THE DAMAGED OR
28 DESTROYED AGRICULTURAL RESEARCH OPERATION OR FARM PRODUCT THE FAIR
29 MARKET VALUE OF THE AGRICULTURAL RESEARCH OPERATION OR FARM PRODUCT
30 BEFORE THE DAMAGE OR DESTRUCTION, INCLUDING THE COST OF ANY PRODUCT
31 PRODUCTION, RESEARCH, TESTING, REPLACEMENT, AND PRODUCT DEVELOPMENT
32 DIRECTLY RELATED TO THE FARM PRODUCT DAMAGED OR DESTROYED.33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 October 1, 2002.

