

**SENATE BILL NO. 2280**

Introduced by

Senators Wanzek, Fischer, Nichols

Representatives Berg, Nicholas, B. Thoreson

1 A BILL for an Act relating to awards for the damage and destruction of crops.

2 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

3 **SECTION 1. Damage or destruction of crops or commodities - Award of damages.**

- 4 1. A person is liable for damages as provided in subsection 2 if that person willfully  
5 and knowingly damages or destroys any crop in the field which is being raised, or  
6 commodity after harvest which was being raised, for:
- 7 a. Personal or commercial purposes; or  
8 b. Testing or research purposes as part of a product development program in  
9 conjunction with or in coordination with a private research facility, a university,  
10 or any federal, state, or local government entity.
- 11 2. In awarding damages under subsection 1, a court shall consider the market value  
12 of the crop or commodity before the damage or destruction and the production,  
13 research, testing, replacement, and development costs directly related to the crop  
14 or the commodity. The court shall limit damages under this section to twice the  
15 market value of the crop or the commodity before the damage or destruction and  
16 twice the actual production, research, testing, replacement, and development  
17 costs.
- 18 3. This section does not preclude or limit any other right or remedy available under  
19 law or equity.