

## ACT 298

S.B. NO. 640

A Bill for an Act Relating to Agriculture.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 141, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§141- Crop damage; civil liability.** (a) Any person who willfully or knowingly damages or destroys any crop, including silvicultural crops or agricultural commodities as defined in section 145-21, that is known by the person to be intended for personal or commercial purposes, or for research and development purposes by any private or public research facility, federal, state, or local government agency, or university shall be liable for twice the value of the crop or commodity damaged or destroyed.

(b) Damages available under this section shall be limited to twice the market value of the crop or commodity and the production, research, testing, replacement,

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and crop or commodity development costs directly related to the damaged or destroyed crop or commodity.

(c) Rights and remedies under this section are in addition to any other rights or remedies otherwise available or penalties that may otherwise be imposed.’’

SECTION 3.<sup>1</sup> New statutory material is underscored.<sup>2</sup>

SECTION 4.<sup>1</sup> This Act shall take effect upon its approval.

(Approved June 28, 2001.)

### Notes

1. So in original.
2. Edited pursuant to HRS §23G-16.5.