Agriculture Bio-Security Act

Summary

This Act provides civil liability and criminal sanctions against the intentional acts of damaging or destroying any field crop or food product that is subject to testing or product development conducted under contract with a state college, university or other federal, state, or local government agency. This Act includes those food products undergoing field testing by private sector corporations.

Model Legislation

Section 1. {Short Title} This Act shall be known as the Agriculture Bio-Security Act.

Section 2. {Definition} For the purposes of this act, Product is defined as: field crops, forests, livestock including poultry and fish, and any animal products.

Section 3. {Destruction of Research Crops, and Food or Liquid Products: Penalties}

(a.) Any person who willfully and knowingly damages or destroys any product or food process development, as specified in [insert citation], that is known by the person to be the subject of testing or a product development program being conducted by, or in conjunction or cooperation with a [state] university or college, [state] university system, or any other federal, state, or local government agency, shall be liable for [twice] the value of the product damaged or destroyed. For the purposes of this Act, “in conjunction or cooperation with” means having a contract with the [state] university system, or any other federal, state, or local government agency involving testing or a product development program relating to that product.

(b.) Any person who willingly or knowingly damages or destroys any product or food process development undertaken by any private sector corporation or business entity, as specified in [insert citation], that is known by the person to be the subject of testing or product development shall be liable for [twice] the value of the product damaged or destroyed.

(c.) Any person or group who willfully or knowingly damages, destroys, or contaminates food or liquid intended for human consumption or use shall be liable for twice the value of the item(s) damaged, destroyed or contaminated.

(d.) Any person or group who willfully or knowingly damages, destroys, or contaminates any field crop or food product grown or produced by a public or private sector corporation or independent producer, and causes harm to human health shall be subject to a $1 million penalty and or imprisonment.

(e.) The rights and remedies available under this Act are in addition to any other rights or...
remedies otherwise available in law or statute.

Section 4. {Severability}

Section 5. {Repealer Clause}  
Were your laws repealed?

Section 6. {Effective Date}

Adopted by ALEC's Natural Resources Task Force at the Annual Meeting August 8, 2002.  
Approved by full ALEC Board of Directors September, 2002.