

HCS HB 1970 -- MITIGATION OF PROPERTY DAMAGE AND DESTRUCTION

SPONSOR: Munzlinger

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Agri-Business by a vote of 9 to 0.

This substitute exempts owners of anhydrous ammonia from reasonable cleanup costs caused by illegal tampering and specifies that a person who negligently damages or destroys a field crop product is liable only for actual damages directly related to the damaged or destroyed crop. Currently, a person who knowingly damages or destroys a field crop product is liable for double the damages.

FISCAL NOTE: No impact on state funds in FY 2007, FY 2008, and FY 2009.

PROPOSERS: Supporters say that the current double-damages award for a person who knowingly destroys a crop is appropriate; however, if the destruction is the result of negligence, an award of actual damages is fair to the crop owner and the negligent party.

Testifying for the bill were Representative Munzlinger; Missouri Agriculture Industries Council; Missouri Association of Trial Attorneys; and Missouri Corn Growers Association.

OPPOSERS: There was no opposition voiced to the committee.

Roland Tackett, Legislative Analyst