

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2973 Field crop produced for crop research or testing; intentional damage or destruction; damage award; definitions.

Sec. 2973.

(1) A person who intentionally damages or destroys all or part of a field crop belonging to another person produced for crop research or testing purposes is liable in a civil action for damages and costs and fees as further described in subsection (2).

(2) The court shall award damages as well as costs and fees associated with an action brought under subsection (1) to a prevailing plaintiff in the following amounts:

(a) Twice the market value of the field crop damaged or destroyed.

(b) If applicable, the value of the crop research or testing.

(3) As used in this section:

(a) "Costs and fees" means the normal costs incurred in being a party in a civil action after an action has been filed with the court, those provided by law or court rule, and the following:

(i) The reasonable and necessary expenses of expert witnesses as determined by the court.

(ii) The reasonable cost of any study, analysis, engineering report, test, or project that is determined by the court to have been necessary for the preparation of the party's case.

(iii) Reasonable attorney fees.

(b) "Crop research or testing" means a crop produced in conjunction with or as part of a private research or testing program or facility or a research or testing program funded by a federal, state, or local governmental agency.

(c) "Field crop" means plants that include, but are not limited to, those considered and grown as production crops, ornamentals, vegetables, fruit, turf, horticultural crops, industrial crops, plants grown for the production of pharmaceuticals or similar use, seed production crops, livestock crops, and animal feed crops.

History: Add. 2002, Act 209, Imd. Eff. Apr. 29, 2002