604.13 DESTRUCTION OF FIELD CROP PRODUCTS, ANIMALS, ORGANISMS, OR CELLS; CIVIL LIABILITY.

Subdivision 1. **Liability.** No person other than the owner, designee, or agent may willfully and knowingly damage or destroy any field crop, animal, organism, or cell that is grown for testing or research purposes in conjunction or coordination with a private research facility or a university or a federal, state, or local government agency. A person who violates this subdivision is liable for three times the value of the crop, animal, organism, or cell damaged or destroyed, as provided in subdivisions 2 and 3. This section does not apply to crops, animals, organisms, or cells damaged or destroyed by emergency vehicles and personnel acting in a reasonable and prudent manner.

Subd. 2. **Damages; factors to consider.** In awarding damages under this section, the court shall consider the market and research value of the crop, animal, organism, or cell prior to damage or destruction, and production, research, testing, replacement, and development costs directly related to the crop, animal, organism, or cell that has been damaged or destroyed as part of the value.

Subd. 3. **Damages; limit.** Damages available under this section are limited to:

(1) three times the market and research value of the crop, animal, organism, or cell prior to damage or destruction plus three times the actual damages involving production, research, testing, replacement, and development costs directly related to the crop, animal, organism, or cell that has been damaged or destroyed; and

(2) an amount up to $100,000 to compensate for delays in completing testing or research resulting from a violation of subdivision 1.

History: *2002 c 348 s 1*