

HOUSE No. 1871

The Commonwealth of Massachusetts

PRESENTED BY:

Paul A. Schmid, III

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to agricultural crop and property destruction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/26/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/25/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>2/25/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/25/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>3/5/2021</i>

HOUSE No. 1871

By Mr. Schmid of Westport, a petition (accompanied by bill, House, No. 1871) of Paul A. Schmid, III and others relative to tort liability for operating off-highway or recreational vehicles that damage or destroy certain field crop products or agricultural property. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1556 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to agricultural crop and property destruction.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 7B of chapter 242 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof
3 the following subsection:-

4 (a) Any person who, (i) operates an off-highway or recreational vehicle in a manner that
5 damages or destroys a field crop product or agricultural property situated on the land of another,
6 or (ii) without the permission of the owner, willfully and intentionally removes, damages or
7 destroys, a field crop product or property used primarily for agricultural purposes situated on the
8 land of another, shall be liable to the owner of such product or property in tort.

9 SECTION 2. Subsection (f) of said section 7B of said chapter 242, as so appearing, is
10 hereby amended by inserting after the words “husbandry, structure”, in line 27, the words:- or
11 device