

**HOUSE . . . . . No. 3124**

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**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:
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>

**HOUSE . . . . . No. 3124**

By Mr. Schmid of Westport, a petition (accompanied by bill, House, No. 3124) 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.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

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 2014  
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