

**As Introduced**

**125th General Assembly  
Regular Session  
2003-2004**

**S. B. No. 67**

**Senators Mumper, Wachtmann, Randy Gardner, DiDonato, Coughlin, Stivers,  
Austria, Goodman**

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**A B I L L**

To amend section 901.99 and to enact section 901.511 1  
of the Revised Code to prohibit damaging or 2  
destroying crops, timber, livestock, or equipment. 3

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That section 901.99 be amended and section 901.511 4  
of the Revised Code be enacted to read as follows: 5

**Sec. 901.511.** (A) No person, without privilege to do so, 6  
shall purposely damage or destroy any field crop, field crop 7  
product, timber, timber product, or livestock that is produced for 8  
either of the following: 9

(1) Personal or commercial purposes; 10

(2) Testing or research purposes in the context of a product 11  
development program in conjunction or coordination with a private 12  
research facility, a university, or any federal, state, or local 13  
government agency. 14

(B) No person, without privilege to do so, shall purposely 15  
damage or destroy any equipment used in the production of any 16  
field crop, field crop product, timber, timber product, or 17  
livestock or any laboratory, research, or fixed equipment used to 18

test or analyze the process of producing any field crop, field  
crop product, timber, timber product, or livestock. 19  
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(C)(1) In addition to the penalty provided in section 901.99  
of the Revised Code for a violation of this section, the court  
shall require any person who violates this section to pay to the  
victim of the offense an amount equal to twice the value of the  
crop, crop product, timber, timber product, livestock, or  
equipment damaged or destroyed. 21  
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(2) In ordering restitution under this section, the court  
shall consider as part of the value of the crop, crop product,  
timber, timber product, livestock, or equipment the market value  
of the crop, crop product, timber, timber product, livestock, or  
equipment prior to damage or destruction and production, research,  
testing, replacement, and development costs directly related to  
the crop, crop product, timber, timber product, livestock, or  
equipment that has been damaged or destroyed. 27  
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(3) Restitution available under this section shall be limited  
to twice the market value of the crop, crop product, timber,  
timber product, livestock, or equipment prior to damage or  
destruction plus twice the actual damages involving production,  
research, testing, replacement, and development costs directly  
related to the crop, crop product, timber, timber product,  
livestock, or equipment that has been damaged or destroyed. 35  
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**Sec. 901.99.** (A) Whoever violates section 901.51 of the 42  
Revised Code is guilty of a misdemeanor of the fourth degree. 43

(B) Whoever violates section 901.511 or 901.75 or division 44  
(C) of section 901.73 of the Revised Code is guilty of a 45  
misdemeanor of the first degree. 46

(C) Whoever violates division (A) of section 901.76 of the 47  
Revised Code is guilty of a felony of the fifth degree on a first 48

offense and of a felony of the fourth degree on each subsequent offense. 49  
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(D) Whoever violates division (B) of section 901.76 of the Revised Code is guilty of a felony of the fourth degree. 51  
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**Section 2.** That existing section 901.99 of the Revised Code is hereby repealed. 53  
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