

No. 1988-86

AN ACT

SB 1109

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the criminal offense of agricultural vandalism; and providing for a penalty.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 3309. Agricultural vandalism.

(a) Offense defined.—A person commits the offense of agricultural vandalism if he intentionally or recklessly defaces, marks or otherwise damages the real or tangible personal property of another, where the property defaced, marked or otherwise damaged is used in agricultural activity or farming.

(b) Grading.—Agricultural vandalism is a felony of the third degree if the actor intentionally causes pecuniary loss in excess of \$5,000, a misdemeanor of the first degree if the actor intentionally causes pecuniary loss in excess of \$1,000 or a misdemeanor of the second degree if the actor intentionally or recklessly causes pecuniary loss in excess of \$500. Pecuniary loss includes the cost of repair or replacement of the property affected. Otherwise, agricultural vandalism is a misdemeanor of the third degree.

(c) Definition.—As used in this section, the terms “agricultural activity” and “farming” mean the commercial production of agricultural crops, live-stock or livestock products, poultry or poultry products, milk, eggs or dairy products, or fruits or other horticultural products.

Section 2. This act shall take effect immediately.

APPROVED—The 13th day of July, A. D. 1988.

ROBERT P. CASEY