

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 18.2-145.1, relating to damaging*  
3 *or destroying research farm product; penalty.*

4 [H 2223]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 18.2-145.1 as follows:**8 *§ 18.2-145.1. Damaging or destroying research farm product; penalty.*

9 *A. Any person or entity that (i) maliciously damages or destroys any farm product, as defined in*  
10 *§ 3.1-692 and (ii) knows the product is grown for testing or research purposes in the context of product*  
11 *development in conjunction or coordination with a private research facility or a university or any*  
12 *federal, state or local government agency is guilty of a Class 1 misdemeanor if the value of the farm*  
13 *product was less than \$200, or a Class 6 felony if the value of the farm product was \$200 or more.*

14 *B. The court shall order the defendant to make restitution in accordance with § 19.2-305.1 for the*  
15 *damage or destruction caused. For the purpose of awarding restitution under this section, the court*  
16 *shall determine the market value of the farm product prior to its damage or destruction and, in so*  
17 *doing, shall include the cost of: (i) production, (ii) research, (iii) testing, (iv) replacement and (v)*  
18 *product development directly related to the product damaged or destroyed.*

19 **2. That the provisions of this act may result in a net increase in periods of imprisonment in state**  
20 **correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation**  
21 **cannot be determined.**

ENROLLED

HB2223ER