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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2021	.	
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The Committee on Judiciary (Brodeur) recommended the following:

Senate Amendment

Delete lines 168 - 175
and insert:

(8) PUNITIVE DAMAGES.—A plaintiff may not recover punitive damages in a private nuisance action against a farm unless:

(a) The alleged nuisance is based on substantially the same conduct that resulted in a criminal conviction or a civil enforcement action by a state or federal environmental regulatory agency; and

(b) The conviction or enforcement action occurred within 3



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12 years of the first act forming the basis of the nuisance action.