



General Assembly

January Session, 2009

Committee Bill No. 5004

LCO No. 4890

04890HB05004ENV

Referred to Committee on Environment

Introduced by:
(ENV)

**AN ACT CONCERNING LIABILITY FOR THE THEFT OR
UNAUTHORIZED DESTRUCTION OF TREES, TIMBER OR
SHRUBBERY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 52-560 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2009*):

3 (a) Any person who cuts, destroys or carries away any trees, timber
4 or shrubbery, standing or lying on the land of another or on public
5 land, except on land subject to the provisions of section 52-560a,
6 without license of the owner, and any person who aids therein, shall
7 pay to the party injured [five times] the [reasonable] replacement value
8 of any [tree intended for sale or use as a Christmas tree and three times
9 the reasonable value of any other tree] such trees, timber or shrubbery;
10 but, when the court is satisfied that the defendant was guilty through
11 mistake and believed that the tree, timber or shrubbery was growing
12 on his land, or on the land of the person for whom he cut the tree,
13 timber or shrubbery, it shall render judgment for no more than [its]
14 five times the reasonable value of any such tree, timber or shrubbery.

15 (b) In addition to an award of damages under the provisions of
16 subsection (a) of this section, the court may award the person or entity
17 bringing an action under subsection (a) of this section the cost of
18 restoring the land to a condition from which the land can regain the
19 ecological functions it performed prior to the cutting, destroying or
20 carrying away of such tree, timber or shrubbery, including reasonable
21 management costs necessary to achieve such restoration.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	52-560

Statement of Purpose:

To increase the amount of restitution a person must pay for the unauthorized cutting, destroying or carrying away of trees, timber or shrubbery.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. DREW, 132nd Dist.

H.B. 5004