§ 9-107. Genetically engineered or genetically modified organisms; affirmative defense. Any party who is sued for damages for any claim on the ground that the party possessed or used seeds or plants that contained genetically engineered or genetically modified organisms without entering into an agreement or paying fees to the manufacturer or licensed distributor of such genetically engineered or genetically modified organisms shall have an affirmative defense against any liability if the party shall show that he or she did not knowingly and intentionally introduce the genetically engineered or genetically modified organisms into his or her plants or seeds or onto his or her property and he or she did not knowingly gain from the distinctive traits due to genetic modification or genetic engineering.