

By: Hunter, Clardy

H.B. No. 1766

Substitute the following for H.B. No. 1766:

By: Thompson of Harris

C.S.H.B. No. 1766

A BILL TO BE ENTITLED

AN ACT

relating to certain defenses to libel actions.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 73.005, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 73.005. TRUTH A DEFENSE. (a) The truth of the statement in the publication on which an action for libel is based is a defense to the action.

(b) In an action brought against a newspaper or other periodical or broadcaster, the defense described by Subsection (a) applies to an accurate reporting of allegations made by a third party regarding a matter of public concern.

(c) This section does not abrogate or lessen any other remedy, right, cause of action, defense, immunity, or privilege available under the Constitution of the United States or this state or as provided by any statute, case, or common law or rule.

SECTION 2. The change in law made by this Act applies only to accurate reporting by a newspaper or other periodical or broadcaster made on or after the effective date of this Act. The accurate reporting by a newspaper or other periodical or broadcaster made before the effective date of this Act is governed by the law applicable to the accurate reporting immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2015.