

By: Hunter

H.B. No. 4116

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 Practices and Remedies Code, is amended to read as follows:

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

(b) Subject to subsection (c), it is a defense to a libel action that the publication accurately reported the allegations of a third party regarding a matter of public concern.

(c) Subsection (b) does not apply if:

(i) the publication was made with actual malice; and

(ii) the fact that the allegation was made is not itself a matter of public concern.

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