

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

House BILL NO. *522*

INTRODUCED BY *Clark*

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW RELATING TO LIBEL AND SLANDER TO INCLUDE AS LIBEL OR SLANDER THE UNTRUE ACCUSATION OF A VIOLATION OF A LAW RESULTING IN A THREAT TO PUBLIC HEALTH, SAFETY, OR THE ENVIRONMENT; AND AMENDING SECTIONS 27-1-802 AND 27-1-803, MCA."

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

Section 1. Section 27-1-802, MCA, is amended to read:

"**27-1-802. Libel defined.** Libel is a false and unprivileged publication by writing, printing, picture, effigy, or other fixed representation to the eye ~~which~~ that:

(1) exposes any person to hatred, contempt, ridicule, or obloquy ~~of which;~~

(2) causes ~~him~~ the person to be shunned or avoided ~~of which;~~

(3) charges any person with the violation of laws or regulations resulting in a threat to public health, safety, or the environment; or

(4) has a tendency to injure ~~him~~ the person in ~~his~~ the person's occupation."

Section 2. Section 27-1-803, MCA, is amended to read:

"**27-1-803. Slander defined.** Slander is a false and unprivileged publication other than libel ~~which~~ that:

(1) charges any person with crime or with having been indicted, convicted, or punished for crime;

(2) charges any person with the violation of laws or regulations resulting in a threat to public health, safety, or the environment;

~~(2)(3)~~ (3) imputes in ~~him~~ the person the present existence of an infectious, contagious, or loathsome disease;

~~(3)(4)~~ (4) tends directly to injure ~~him~~ the person in respect to ~~his~~ the person's office, profession, trade, or business, either by imputing to ~~him~~ the person general disqualification in those respects ~~which~~ that the office or other occupation peculiarly requires or by imputing something with reference to ~~his~~ the person's

1 office, profession, trade, or business that has a natural tendency to lessen its profit;

2 ~~(4)~~(5) imputes to ~~him~~ the person impotence or want of chastity; or

3 ~~(5)~~(6) by natural consequence causes actual damage."

4 -END-