
A BILL FOR AN ACT

RELATING TO ELECTIONS.

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

1 SECTION 1. Chapter 11, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§11- Campaign defamation. (a) A person commits the
5 offense of campaign defamation if, through campaign material,
6 the person publishes to a third party:

7 (1) A false statement;

8 (2) With actual malice or reckless disregard of the truth;

9 and

10 (3) That the publisher knew or should have known to be
11 false.

12 (b) It is an affirmative defense to a prosecution under
13 subsection (a) that the statement is true.

14 (c) Campaign defamation is a misdemeanor."

15 SECTION 2. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 3. New statutory material is underscored.

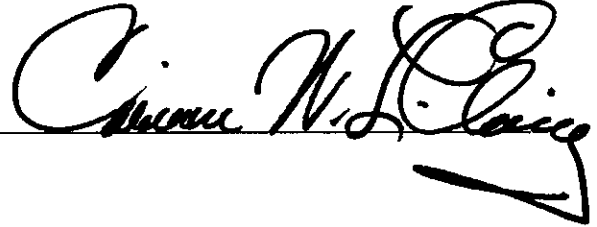
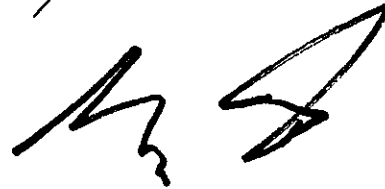


H.B. NO. 2698

1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "C. N. L. Price", written over a horizontal line.A handwritten signature in cursive script, appearing to read "Suman Marumate".A handwritten signature in cursive script, appearing to be initials "MS".

JAN 24 2012



H.B. NO. 2698

Report Title:

Defamation; Campaigns

Description:

Makes defamation in campaign material a misdemeanor offense.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

