

HB 1829 -- POLITICAL ACCOUNTABILITY

SPONSOR: McGaugh

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elections by a vote of 8 to 2.

This bill establishes the Political Accountability in Campaigning Act. Once a candidate has filed for office, he or she will be prohibited from knowingly publicizing a false statement of fact about another candidate for the office via the print or broadcast media. Courts may issue an injunction to prevent the publication of false statements and may award damages as specified in the bill.

A candidate who has violated these provisions may avoid a penalty by retracting the statement using the same publication medium that was used to make the offending statement within 14 days of the initial statement and no later than 14 days prior to the election. An eligible voter, prosecutor, or the Attorney General may seek damages for a violation of this act, and damages obtained by a state official will be treated as a penalty and will go to local schools. Otherwise, damages capped at \$20,000 are awarded to the person bringing a successful claim. The bill does not limit any actions for defamation, libel, or slander.

PROPONENTS: Supporters say that the bill will prevent defamation and the dissemination of knowingly false information that could undermine the integrity of elections.

Testifying for the bill was Representative McGaugh.

OPPONENTS: There was no opposition voiced to the committee.