

HB 1003 -- MALICIOUS PROSECUTION OF A JOURNALIST

SPONSOR: Fuchs

This bill creates the offense of malicious prosecution of a journalist, which is a class E felony and is committed by an elected public official, assistant prosecuting attorney, or assistant attorney general when he or she:

- (1) Instigates, commences, or continues a criminal prosecution against a journalist without probable cause;
- (2) Acts with malice against, and with knowledge that no offense has been committed by the journalist; and
- (3) Causes damage to the journalist.

A person who violates this section will be liable for damages, which may include reputational damages. Sovereign immunity will be waived for any civil action resulting from a violation of this section.

This bill is similar to HB 2420 (2022).