

**Senator Scott D. McCoy** proposes the following substitute bill:

**REPEAL OF LIBEL PROVISIONS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Scott D. McCoy**

House Sponsor: Ross I. Romero

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**LONG TITLE**

**General Description:**

This bill modifies the Criminal Code to repeal the unconstitutional criminal libel provision and to repeal related sections. This bill also repeals criminal defamation and slander statutes.

**Highlighted Provisions:**

This bill:

- ▶ repeals the criminal libel statute, which was found unconstitutional by the Utah Supreme Court;
- ▶ repeals the definition and presumptions relating to the criminal libel offense;
- ▶ repeals the Criminal Code offense of criminal defamation;
- ▶ repeals the Criminal Code offense of slander regarding female chastity; and
- ▶ repeals the offense of transmitting a false or libelous statement to publications or broadcast stations.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 REPEALS:

27 **76-9-404**, as enacted by Chapter 196, Laws of Utah 1973

28 **76-9-501**, as enacted by Chapter 196, Laws of Utah 1973

29 **76-9-502**, as last amended by Chapter 241, Laws of Utah 1991

30 **76-9-507**, as last amended by Chapter 241, Laws of Utah 1991

31 **76-9-508**, as last amended by Chapter 20, Laws of Utah 1995

32 **76-9-509**, as enacted by Chapter 196, Laws of Utah 1973

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34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. **Repealer.**

36 This bill repeals:

37 Section **76-9-404**, **Criminal defamation.**

38 Section **76-9-501**, **"Libel" defined.**

39 Section **76-9-502**, **Libel -- Elements -- Classification of offense.**

40 Section **76-9-507**, **Slander -- Imputing unchastity to female.**

41 Section **76-9-508**, **Slander -- Imputation need not be proven false -- Truth as**  
42 **defense.**

43 Section **76-9-509**, **Conveying false or libelous material to newspaper or**  
44 **broadcasting stations.**