

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1251

S.P. 437

March 8, 2007

An Act To Establish the Crime of Political Libel

Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator SAVAGE of Knox. (BY REQUEST)

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 21-A MRSA §32, sub-§1**, as enacted by PL 1993, c. 473, §2 and affected
3 by §46, is amended to read:

4 **1. Class E crime.** A person commits a Class E crime if that person:

5 A. Knowingly violates a provision of this Title for which no penalty has been
6 provided; ~~or~~

7 B. Knowingly displays or distributes political advertisements in or on state-owned
8 or state-leased property.

9 This paragraph does not apply to acts on state highways or to displays on motor
10 vehicles not owned by the State while temporarily parked in parking areas on land
11 maintained by the State. This paragraph does not apply to acts in or on a state-owned
12 or state-leased building for a period beginning 48 hours before and ending 48 hours
13 after that building is used by a political party to conduct a political activity within the
14 building; or

15 C. Makes or publishes any false statement or charge reflecting on any candidate's
16 character or morality or knowingly misrepresents the voting record or position on
17 public issues of any candidate. A person making such a statement or representation
18 with knowledge of its falsity or with a reckless disregard as to whether it is true or not
19 commits the crime of political libel.

20 **SUMMARY**

21 This bill establishes the Class E crime of political libel. A person commits political
22 libel if that person makes or publishes any false statement or charge reflecting on any
23 candidate's character or morality or knowingly misrepresents the voting record or position
24 on public issues of any candidate and makes such a statement or representation with
25 knowledge of its falsity or with a reckless disregard as to whether it is true or not.