

BILL ANALYSIS

Senate Research Center
84R20775 CAE-F

C.S.S.B. 627
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State Affairs
4/14/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Committee Substitute for S.B. 627 includes minor but important changes to the bill's structure. The parties in negotiation have agreed that a journalist accurately reporting on third party allegations regarding matters of public concern should use the accuracy of such reporting as a defense to libel.

The original purpose of the bill was to codify a common law privilege protecting journalists from libel lawsuits when reporting on third-party allegations. C.S.S.B. 627 changes the "privilege" to a defense against a libel suit as long as the journalist accurately reports the allegations in context.

C.S.S.B. 627 amends current law relating to certain defenses to libel actions.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 73.005, Civil Practice and Remedies Code, as follows:

- (a) Creates this subsection from existing text and makes no further change.
- (b) Provides that in an action brought against a newspaper or other periodical or broadcaster, the defense described by Subsection (a) applies to an accurate reporting of allegations made by a third party regarding a matter of public concern.
- (c) Provides that this section does not abrogate or lessen any other remedy, right, cause of action, defense, immunity, or privilege available under the Constitution of the United States or this state or as provided by any statute, case, or common law or rule.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2015.