

BILL ANALYSIS

S.B. 627
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Advocates note that Texas courts have generally recognized a defense to a libel action for news media organizations when they accurately report on third-party allegations regarding matters of public concern. These advocates point out that one need look no further than several recent reports of questionable activities in public entities to know that all too often it is the media that first uncovers problems that need to be investigated or for which there needs to be legislative reform. A recent court case called into question the prior interpretation of this defense and left the question unsettled and for the legislature to address. S.B. 627 seeks to address this issue.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 627 amends the Civil Practice and Remedies Code to make the defense to a libel action that a published statement is the truth applicable to a libel action relating to an accurate reporting of allegations made by a third party regarding a matter of public concern in an action brought against a newspaper or other periodical or broadcaster. The bill establishes that such a defense does not abrogate or lessen any other remedy, right, cause of action, defense, immunity, or privilege available under the United States or Texas Constitutions or as provided by any statute, case, or common law or rule.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.