

TITLE 7. PUBLIC PEACE, MORALS, AND WELFARE

Chapter 7.23

LIBEL AND SLANDER

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7.23.1. Libel, What Constitutes. Every malicious publication by writing, printing, picture, effigy, sign, radio broadcasting or which shall in any other manner transmit the human voice or reproduce the same from records or other appliances or means, which shall tend:

(a) To expose any living person to hatred, contempt, ridicule, or obloquy, or to deprive him or her of the benefit of public confidence or social intercourse;

(b) To expose the memory of one deceased to hatred, contempt, ridicule, or obloquy; or

(c) To injure any person, corporation, or association of persons in his or her or their business or occupation,

shall be libel. (Res. 93-025 (part), passed Mar. 8, 1993)

7.23.2. How Justified or Excused. Every publication having the tendency or effect mentioned shall be deemed malicious unless justified or excused. Such publication is justified whenever the matter charged as libelous charges the commission of a crime, is a true and fair statement, and was published with good motives and for justifiable ends. It is excused when honestly made in belief of its truth and fairness and upon reasonable grounds for such belief and consists of fair comments upon the conduct of any person in respect of public affairs, made after a fair and impartial investigation. (Res. 93-025 (part), passed Mar. 8, 1993)

7.23.3. Publication Defined. Any method by which matter charged as libelous may be communicated to another shall be deemed a publication thereof. (Res. 93-025 (part), passed Mar. 8, 1993)

Note: Subsections 7.23.1(1)-(3) changed to 7.23.1(a)-(c) for consistency. (Res. 2016-090, Jun. 20, 2016)