

HOUSE BILL NO. 21

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES RAMRAS, Wilson

Introduced: 1/10/05

Referred: State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to false statements in state election advertising; and providing for an**
2 **effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 15.13 is amended by adding a new section to read:

5 **Sec. 15.13.092. False statements in election advertising.** (a) A person may
6 not make a false statement in election advertising with knowledge that the statement is
7 false or with a reckless disregard for whether or not the statement is false.

8 (b) In an administrative complaint under AS 15.13.380 alleging a violation of
9 (a) of this section, the complainant shall

10 (1) identify with specificity the name of the respondent who made the
11 false statement in election advertising;

12 (2) attach relevant evidence to support the allegation that the statement
13 is false; and

14 (3) verify under oath or affirmation before a person authorized by law

1 to take the person's oath or affirmation that the complainant has read the complaint
2 and believes its contents to be true.

3 (c) If the person who disseminates the false statement is not the maker of the
4 false statement, the person who disseminates the statement violates (a) of this section
5 only if the person had actual knowledge that the statement was false before
6 disseminating the statement.

7 (d) A print or broadcast medium by means of which the election advertising is
8 made is not liable for damages caused by the distribution of false information unless
9 the owners of the print or broadcast medium knew or had reason to know the
10 information distributed was false.

11 (e) In this section, "election advertising" means an announcement or
12 advertisement that is disseminated through print or broadcast media, including radio,
13 television, cable, and satellite, the Internet, or through a mass mailing, the principal
14 purpose of which is to influence the outcome of

15 (1) the election of a candidate; or

16 (2) an election concerning a ballot proposition; in this paragraph,

17 "proposition" has the meaning given in AS 15.13.065(c).

18 * **Sec. 2.** This Act takes effect immediately under AS 01.10.070(c).