

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Establish the Crime of Political Libel

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

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

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

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

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

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

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

SUMMARY

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