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HOUSE BILL NO. 1029

Offered January 8, 2014

Prefiled January 8, 2014

A *BILL to amend the Code of Virginia by adding in Article 3 of Chapter 10 of Title 24.2 a section numbered 24.2-1005.2, relating to slander and libel; candidates for office.*

Patrons—Orrock and Poindexter

Referred to Committee for Courts of Justice**Be it enacted by the General Assembly of Virginia:**

1. That the Code of Virginia is amended by adding in Article 3 of Chapter 9 of Title 18.2 a section numbered 24.2-1005.2, as follows:

§ 24.2-1005.2. Slander and libel; candidates for office.

A. *It shall be unlawful for any person to use campaign contributions and make campaign expenditures to knowingly and falsely utter and speak, or write and publish, of and concerning any candidate for office, any words derogatory of such candidate's character and asserting criminal behavior on such candidate's part.*

B. *Any person who violates the provisions of this section is guilty of a Class 1 misdemeanor.*

C. *A violation of this section may be prosecuted either in the jurisdiction from which the communication was made or in the jurisdiction in which the communication was received.*

D. *The defendant shall be entitled to prove upon trial in mitigation of the punishment, the provocation that induced the libelous or slanderous words, or any other fact or circumstance tending to disprove malice or lessen the criminality of the offense.*

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