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SENATE BILL NO. 577

Offered January 13, 2016

Prefiled January 13, 2016

A BILL to amend and reenact § 8.01-223.2 of the Code of Virginia, relating to immunity of persons; statements concerning matters of public concern; public hearings; defamation; attorney fees; costs.

Patrons—Sturtevant and Dance; Delegate: McClellan

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 8.01-223.2 of the Code of Virginia is amended and reenacted as follows:

§ 8.01-223.2. Immunity of persons making statements on matters of public concern; immunity of persons at public hearings.

A person shall be immune from civil liability for a violation of § 18.2-499 or, a claim of tortious interference with an existing contract or a business or contractual expectancy, *or a claim of defamation* based solely on statements *concerning matters of public concern* made by that person *that are communicated to a third party or are made* at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity concerning matters properly before such body. The immunity provided by this section shall not apply to any statements made with knowledge that they are false, or reckless disregard for whether they are false.

Any person who has a suit against him dismissed pursuant to the immunity provided by this section shall be awarded reasonable attorney fees and costs.

INTRODUCED

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