

By: Truitt

H.B. No. 129

A BILL TO BE ENTITLED

AN ACT

relating to defamatory statements posted on Internet websites.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 73, Civil Practice and Remedies Code, is amended by adding Section 73.0045 to read as follows:

Sec. 73.0045. LIABILITY OF AUTHOR OF WEBSITE POSTING. (a)

The author of a defamatory statement expressed on an Internet website is subject to a libel suit in the same manner as if the author had published the defamatory statement in any other written or graphic form.

(b) A party that prevails in a libel suit against the author of a defamatory statement on an Internet website is entitled to an order by the court requiring the author to:

(1) remove the posting from the Internet website; or

(2) request the Internet website to remove the defamatory statement.

SECTION 2. This Act applies only to a libel suit commenced on or after the effective date of this Act. A libel suit that commenced before the effective date of this Act is governed by the law applicable to the libel suit immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2007.