Second Regular Session Sixty-eighth General Assembly STATE OF COLORADO

REREVISED

This Version Includes All Amendments Adopted in the Second House SENATE BILL 12-102

LLS NO. 12-0750.01 Brita Darling x2241

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A BILL FOR AN ACT

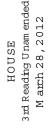
101 CONCERNING THE REPEAL OF THE CRIME OF CRIMINAL LIBEL.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://www.leg.state.co.us/billsummaries.)

The bill repeals the crime of criminal libel, effective September 1, 2012.

1 Be it enacted by the General Assembly of the State of Colorado:







SECTION 1. In Colorado Revised Statutes, repeal 18-13-105 as
 follows:

18-13-105. Criminal libel. (1) A person who shall knowingly
publish or disseminate, either by written instrument, sign, pictures, or the
like, any statement or object tending to blacken the memory of one who
is dead, or to impeach the honesty, integrity, virtue, or reputation or
expose the natural defects of one who is alive, and thereby to expose him
to public hatred, contempt, or ridicule, commits criminal libel.

9 (2) It shall be an affirmative defense that the publication was true,
10 except libels tending to blacken the memory of the dead and libels
11 tending to expose the natural defects of the living.

12 (3) Criminal libel is a class 6 felony.

13 SECTION 2. Act subject to petition - effective date. This act 14 takes effect September 1, 2012; except that, if a referendum petition is 15 filed pursuant to section 1 (3) of article V of the state constitution against 16 this act or an item, section, or part of this act within the ninety-day period 17 after final adjournment of the general assembly, then the act, item, 18 section, or part will not take effect unless approved by the people at the 19 general election to be held in November 2012 and, in such case, will take 20 effect on the date of the official declaration of the vote thereon by the 21 governor.

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