

REFERENCE TITLE: **defamation actions; sexual offenses**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2871

Introduced by
Representatives Villegas: Aguilar, Austin, Blattman, De Los Santos,
Hernandez A, Ortiz, Sandoval, Stahl Hamilton

AN ACT

AMENDING TITLE 12, CHAPTER 6, ARTICLE 6, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-651.01; RELATING TO LIBEL AND SLANDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 12, chapter 6, article 6, Arizona Revised
3 Statutes, is amended by adding section 12-651.01, to read:
4 12-651.01. Defamation actions; sexual offenses
5 A. A PERSON WHO IS ACCUSED OF SEXUAL MISCONDUCT, SEXUAL ABUSE,
6 SEXUAL ASSAULT, SEXUAL HARASSMENT OR DOMESTIC VIOLENCE MAY NOT USE A
7 DEFAMATION ACTION TO SILENCE OR RETALIATE AGAINST THE ACCUSING PERSON OR A
8 STAFF MEMBER OR THIRD PARTY REPORTING THE SEXUAL MISCONDUCT, SEXUAL ABUSE,
9 SEXUAL ASSAULT, SEXUAL HARASSMENT OR DOMESTIC VIOLENCE, INCLUDING CASES
10 WHERE THE ALLEGED PERPETRATOR IS PUBLICLY NAMED.
11 B. DEFAMATION ACTIONS WHERE AN ACCUSER IS PUBLICLY NAMED BY A
12 PERSON OR A STAFF MEMBER OR THIRD PERSON REPORTING ALLEGED SEXUAL
13 MISCONDUCT, SEXUAL ABUSE, SEXUAL ASSAULT, SEXUAL HARASSMENT OR DOMESTIC
14 VIOLENCE MAY BE BROUGHT FOR CASES WHERE CITED DOCUMENTATION AND EVIDENCE
15 CAN ESTABLISH WITHIN THE INITIAL COURT FILING ONE OR MORE OF THE
16 FOLLOWING:
17 1. THE CLAIMED ACT IN THE REPORTED ACCUSATION WAS A FACTUAL
18 IMPOSSIBILITY FOR THE ACCUSED TO HAVE PERPETRATED.
19 2. THE ACCUSER HAS BEEN IMPEACHED IN A COURTROOM PROCEEDING
20 REGARDING THE SAME ALLEGED FACTS AS IN THE PRESENT REPORTED ACCUSATION.
21 3. THE ACCUSER HAS PUBLICLY MADE CONTRARY STATEMENTS INVOLVING
22 RELEVANT, MATERIAL FACTS REGARDING THE PRESENT REPORTED INCIDENT.
23 4. THE ACCUSER HAS PUBLICLY STATED THAT THE PRESENT REPORTED
24 INCIDENT DID NOT OCCUR.
25 Sec. 2. Short title
26 This act may be cited as the "Right to Speak Your Truth Act".