

WEST VIRGINIA LEGISLATURE

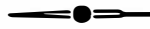
REGULAR SESSION, 1953



ENROLLED

HOUSE BILL No. 59

(By Mr. Snyder)



PASSED February 16 1953

In Effect thirty days from Passage



Filed in the Office of the Secretary of State  
of West Virginia **FEB 23 1953**

**D. MIT O'BRIEN,**  
SECRETARY OF STATE

59

**ENROLLED**

**House Bill No. 59**

(By MR. SNYDER)

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[Passed February 16, 1953; in effect ninety days from passage.]

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AN ACT to amend article seven, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen, relating to the duties of visual or sound broadcasting stations or networks to prevent defamatory utterances and the liability therefor.

*Be it enacted by the Legislature of West Virginia:*

That article seven, chapter fifty-five of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fourteen to read as follows:

Section 14. *Liability of Visual or Sound Broadcasting*

2 *Stations in Libel Cases.*—The owner, licensee or operator  
3 of a visual or sound radio broadcasting station or network  
4 of stations, and the agents or employees of any such owner,

5 licensee or operator, shall not be liable for any damages  
6 for any defamatory statement published or uttered in or  
7 as a part of a visual or sound radio broadcast, by one  
8 other than such owner, licensee or operator, or agent or  
9 employee thereof, unless it shall be alleged and proved  
10 by the complaining party, that such owner, licensee, op-  
11 erator or such agent or employee, has failed to exercise  
12 due care to prevent the publication or utterance of such  
13 statement in such broadcast.

14 In no event, however, shall any owner ,licensee or op-  
15 erator or the agents or employees of any such owner,  
16 licensee or operator of such a station or network of sta-  
17 tions be held liable for any damages for any defamatory  
18 statement uttered over the facilities of such station or  
19 network by any legally qualified candidate for public  
20 office.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*A. M. Kinley*  
Chairman Senate Committee

*C. H. Aubler*  
Chairman House Committee

Originated in the House of Delegates

Takes effect *ninety days from* passage.

*Howard Neve*  
Clerk of the Senate

*R. Klipp*  
Clerk of the House of Delegates

*Ralph J. Beorn*  
President of the Senate

*W. S. Johnson*  
Speaker House of Delegates

The within *approved* this the *20th* day of *February*, 1953.

*William C. Marland*  
Governor

