

1 HB208
2 127083-1
3 By Representatives Oden, Thomas, Beech, Hurst and Coleman
4 RFD: Constitution, Campaigns and Elections
5 First Read: 09-MAR-11

SYNOPSIS: Currently, it is unlawful for a candidate to fraudulently misrepresent himself or herself in a manner which is damaging to the other candidate.

This bill would prohibit the use of digitally altered pictures which depict an individual, whether or not a candidate, in a misleading or negative manner.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 17-5-16, Code of Alabama 1975, relating to fraudulent misrepresentation of opposing candidates, to prohibit the use of digitally altered pictures which depict an individual, whether a candidate or not, in a misleading or negative manner.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 17-5-16, Code of Alabama 1975, is amended to read as follows:

1 "§17-5-16.

2 "(a) It shall be unlawful for any person
3 fraudulently to misrepresent himself or herself, or any other
4 person or organization with which he or she is affiliated, as
5 speaking or writing or otherwise acting for or on behalf of
6 any candidate, principal campaign committee, political action
7 committee, or political party, or agent or employee thereof,
8 in a manner which is damaging or is intended to be damaging to
9 such other candidate, principal campaign committee, political
10 action committee, or political party.

11 "(b) It shall be unlawful for any person to use or
12 publish a digitally altered picture which depicts an
13 individual, whether or not a candidate, in a misleading or
14 negative manner."

15 Section 2. This act shall become effective on the
16 first day of the third month following its passage and
17 approval by the Governor, or its otherwise becoming law.