

HOUSE BILL REPORT

SB 5148

As Passed House:

March 30, 2005

Title: An act relating to repealing the crime of slander of a woman.

Brief Description: Repealing the crime of "slander of a woman."

Sponsors: By Senators Kohl-Welles, Kline, Fairley and Carrell.

Brief History:

Committee Activity:

Judiciary: 3/18/05, 3/23/05 [DP].

Floor Activity:

Passed House: 3/30/05, 69-28.

Brief Summary of Bill

- Repeals the statutes dealing with slander of a woman.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Flannigan, Vice Chair; Williams, Vice Chair; Priest, Ranking Minority Member; Campbell, Kirby, Serben, Springer and Wood.

Staff: Trudes Tango Hutcheson (786-7384).

Background:

A statute enacted in 1909 makes it a misdemeanor to maliciously make a false or defamatory statement about any female who is at least 12 years old and who is not a common prostitute, if the statement injures her reputation for virtue or chastity or exposes her to hatred, contempt, or ridicule. The statement is presumed to be malicious unless it is justified. It is justified when the statement is true and fair and spoken with good motives and for justifiable ends. The testimony of the woman slandered that the slanderous statement was made is insufficient to support a conviction unless there is additional corroborating evidence.

Summary of Bill:

The statutes dealing with slander of a woman are repealed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The statute is archaic, but it is still being used at times. In the past 20 years, there have been 23 cases in which persons have been charged with slander of a woman. Those cases end up being dismissed. The culture has changed since the time this statute was enacted. The statute is also probably an unconstitutional violation of equal protection.

Testimony Against: None.

Persons Testifying: Senator Kohl-Welles, prime sponsor.

Persons Signed In To Testify But Not Testifying: None.