

SENATE BILL No. 141

By Senator Holscher

2-3

1 AN ACT concerning civil actions; relating to defamation; enacting the
2 right to speak your truth act; prohibiting defamation claims in certain
3 circumstances.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) This section shall be known and may be cited as the
7 right to speak your truth act.

8 (b) A person who is the subject of a reported accusation of sexual
9 misconduct, sexual abuse, sexual assault or sexual harassment shall not
10 file a defamation action related to the reported accusation unless the
11 evidence establishes that:

12 (1) The action is based on a claim that it is impossible for the person
13 who is the subject of the accusation to have committed the act giving rise
14 to the reported accusation;

15 (2) the person making the accusation has been impeached in a court
16 proceeding related to the same facts giving rise to the reported accusation;

17 (3) the person making the accusation has publicly made contradictory
18 statements involving relevant and material facts related to the reported
19 accusation; or

20 (4) the person making the accusation has publicly stated that the
21 sexual misconduct, sexual abuse, sexual assault or sexual harassment
22 reported in the accusation did not occur.

23 (c) The provisions of subsection (b) shall only apply when the
24 accusation of sexual misconduct, sexual abuse, sexual assault or sexual
25 harassment has been reported, including, but not limited to, reports and
26 disclosures made to law enforcement, human resources departments or
27 media outlets or reports made on social media platforms.

28 Sec. 2. This act shall take effect and be in force from and after its
29 publication in the statute book.