

HOUSE BILL 1079

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9lr1734

By: **Delegate P. Young**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Consumer Protection – News Analysis Programs – Disclaimer**
3 **(Truthiness Act of 2019)**

4 FOR the purpose of requiring a certain radio or television station that broadcasts a certain
5 news analysis program in the State to broadcast a certain disclaimer at the
6 beginning of the program; establishing certain penalties; defining certain terms; and
7 generally relating to disclaimers for news analysis programs.

8 BY adding to

9 Article – Commercial Law

10 Section 14–4201 through 14–4203 to be under the new subtitle “Subtitle 42. News
11 Analysis Programs”

12 Annotated Code of Maryland

13 (2013 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Commercial Law**

17 **SUBTITLE 42. NEWS ANALYSIS PROGRAMS.**

18 **14–4201.**

19 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
20 **INDICATED.**

21 **(B) “DISCLAIMER” MEANS A STATEMENT THAT THE CONTENTS OF A**
22 **TELEVISION OR RADIO PROGRAM INCLUDE ANALYSIS OR DISCUSSION AND SHOULD**
23 **NOT BE INTERPRETED AS WHOLLY FACTUAL.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(C) (1) “NEWS ANALYSIS PROGRAM” MEANS A TELEVISION OR RADIO**
2 **PROGRAM THAT INCLUDES ANALYSIS OR DISCUSSION OF LOCAL, REGIONAL,**
3 **NATIONAL, OR INTERNATIONAL EVENTS.**

4 **(2) “NEWS ANALYSIS PROGRAM” INCLUDES:**

5 **(I) A TALK SHOW OR PANEL SHOW;**

6 **(II) A CONSUMER AFFAIRS PROGRAM OR CONSUMER REVIEWS**
7 **PROGRAM;**

8 **(III) A NEWSMAGAZINE; OR**

9 **(IV) A DOCUMENTARY.**

10 **(3) “NEWS ANALYSIS PROGRAM” DOES NOT INCLUDE A NEWS**
11 **PROGRAM.**

12 **(D) “NEWS PROGRAM” MEANS A TELEVISION OR RADIO PROGRAM THAT**
13 **REPORTS ON LOCAL, REGIONAL, NATIONAL, OR INTERNATIONAL EVENTS.**

14 **14-4202.**

15 **A RADIO OR TELEVISION STATION THAT BROADCASTS A NEWS ANALYSIS**
16 **PROGRAM IN THE STATE SHALL BROADCAST A DISCLAIMER AT THE BEGINNING OF**
17 **THE NEWS ANALYSIS PROGRAM.**

18 **14-4203.**

19 **A RADIO OR TELEVISION STATION THAT WILLFULLY VIOLATES A PROVISION**
20 **OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT**
21 **TO A FINE OF:**

22 **(1) FOR A FIRST VIOLATION, AN AMOUNT EQUAL TO 2.5% OF THE**
23 **REVENUE OF THE RADIO OR TELEVISION STATION FOR THE PRECEDING CALENDAR**
24 **YEAR; AND**

25 **(2) FOR A SECOND OR SUBSEQUENT VIOLATION WITHIN THE SAME**
26 **CALENDAR YEAR, DOUBLE THE AMOUNT OF THE FINE IMPOSED FOR THE PREVIOUS**
27 **VIOLATION.**

28 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
29 **October 1, 2019.**