CHAPTER 14-02
PERSONAL RIGHTS

14-02-01. General personal rights.

Every person, subject to the qualifications and restrictions provided by law, has the right of protection from bodily restraint or harm, from personal insult, from defamation, and from injury to the person's personal relations.

14-02-02. Defamation classified.

Defamation is effected by:

1. Libel; or
2. Slander.

14-02-03. Civil libel defined.

Libel is a false and unprivileged publication by writing, printing, picture, effigy, or other fixed representation to the eye, which exposes any person to hatred, contempt, ridicule, or obloquy, or which causes the person to be shunned or avoided, or which has a tendency to injure the person in the person's occupation.

14-02-04. Civil slander defined.

Slander is a false and unprivileged publication other than libel, which:

1. Charges any person with crime, or with having been indicted, convicted, or punished for crime;
2. Imputes to the person the present existence of an infectious, contagious, or loathsome disease;
3. Tends directly to injure the person in respect to the person's office, profession, trade, or business, either by imputing to the person general disqualifications in those respects which the office or other occupation peculiarly requires, or by imputing something with reference to the person's office, profession, trade, or business that has a natural tendency to lessen its profits;
4. Imputes to the person impotence or want of chastity; or
5. By natural consequence causes actual damage.

14-02-05. Privileged communications.

A privileged communication is one made:

1. In the proper discharge of an official duty;
2. In any legislative or judicial proceeding or in any other proceeding authorized by law;
3. In a communication, without malice, to a person interested therein by one who also is interested, or by one who stands in such relation to the person interested as to afford a reasonable ground for supposing the motive for the communication innocent, or who is requested by the person interested to give the information; and
4. By a fair and true report, without malice, of a judicial, legislative, or other public official proceeding, or of anything said in the course thereof.

In the cases provided for in subsections 3 and 4, malice is not inferred from the communication or publication.

14-02-06. Offenses against personal relation.

All civil claims for relief for breach of promise to marry, alienation of affection, criminal conversation, and seduction are abolished. A claim for relief brought before July 1, 1983, under this section, is valid until final judgment is rendered.

14-02-07. Force to protect.

Any necessary force may be used to protect from wrongful injury the person or property of one's self, or of a wife, husband, child, parent, or other relative, or member of one's family, or of a ward, servant, master, or guest.

14-02-08. Libel suits against newspapers - Retraction.

Repealed by S.L. 1995, ch. 332, § 11.

14-02-09. Defamation by visual or radio broadcast - Limitation of liability.

The owner, licensee, or operator of a visual or sound radio broadcasting station or network of stations, and the agents or employees of any such owner, licensee, or operator, are not liable for any damages for any defamatory statement published or uttered in or as a part of a visual or sound radio broadcast, by one other than such owner, licensee, or operator, or agent or employee thereof.

14-02-10. Uniform Single Publication Act.

No person may have more than one claim for relief for damages for libel or slander or invasion of privacy or any other tort founded upon any single publication or exhibition or utterance, such as any one edition of a newspaper or book or magazine or any one presentation to an audience or any one broadcast over radio or television or any one exhibition of a motion picture. Recovery in any action must include all damages for any such tort suffered by the plaintiff in all jurisdictions.

A judgment in any jurisdiction for or against the plaintiff upon the substantive merits of any action for damages founded upon a single publication or exhibition or utterance as described in this section bars any other action for damages by the same plaintiff against the same defendant founded upon the same publication or exhibition or utterance.

This section may be cited as the Uniform Single Publication Act.

This section is not retroactive to claims for relief existing on July 1, 1953.

14-02-11. State policy against discrimination.

Repealed by S.L. 1985, ch. 82, § 162.