



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Free Speech 'SLAPP's Back: Governor Signs Hoylman/Weinstein Legislation To Crack Down on Meritless Lawsuits Used to Silence Critics

BRAD HOYLMAN-SIGAL November 10, 2020

| ISSUE: **SLAPP, FREE SPEECH, SENATOR BRAD HOYLMAN, SD 27**

NEW YORK -- Today, Governor Cuomo signed into law legislation ([S.52A/A.5991A](#)) authored by Assemblymember Helene Weinstein and Senator Brad Hoylman that will protect New Yorkers from SLAPPs: Strategic Lawsuits Against Public Participation. This legislation would protect the First Amendment rights of New Yorkers and prevent the rich and powerful from abusing our legal system to silence their critics.

Senator Brad Hoylman said: "It's unacceptable that wealthy and powerful interests like Donald Trump have been able to abuse New York's civil justice system by bringing meritless lawsuits against their critics with the intent of harassing, intimidating, and bankrupting them. That ends today. With the signing of this bill, New York will have one of the strongest anti-SLAPP suit laws in the nation, protecting New Yorkers' free speech from vindictive bullies. Thank you to Senate Majority Leader Stewart-Cousins, Assemblymember Weinstein, and Governor Cuomo for your leadership in enacting this important law."

The New York State Senate passed [S.52A/A.5991A](#) in July, legislation authored by Assemblywoman Helene Weinstein and Senator Brad Hoylman that will protect New Yorkers from SLAPPs: Strategic Lawsuits Against Public Participation. This legislation would

protect the First Amendment rights of New Yorkers and prevent the rich and powerful from abusing our legal system to silence their critics.

Currently, New York's anti-SLAPP statute is only used rarely, due to its narrow scope; approximately 30 states, including California, Texas, Nevada and Oklahoma, have anti-SLAPP statutes that are stronger. Senator Hoylman and Assemblywoman Weinstein's legislation expands on the existing statute by covering speech (or other lawful First Amendment conduct) related to an issue of public interest. If a defendant's speech or activity falls under the protection of the newly-broadened statute, judges will have the ability to dismiss these cases and require the entity who brought the meritless lawsuit to cover the defendant's legal fees.

The legislation was passed at a time when advocates and journalists are under attack—both in the United States and across the globe. President Trump's campaign has [filed](#) a SLAPP suit against a Wisconsin television station that aired an advertisement critical of President Trump's handling of the COVID-19 crisis; the campaign has taken similar action against New York based news outlets, such as the [New York Times](#), that publish criticism of the president.

Two weeks ago Senator Hoylman hosted a [press conference](#) beneath an anti-Trump Times Square billboard which highlighted this legislation.