

HOUSE No. 1570

The Commonwealth of Massachusetts

PRESENTED BY:

Eugene L. O'Flaherty

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to parent child privilege.

PETITION OF:

NAME:

Eugene L. O'Flaherty

DISTRICT/ADDRESS:

2nd Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1637 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PARENT CHILD PRIVILEGE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 20 of Chapter 233 of the General Laws, as appearing in the 2004 Official Edition, is hereby
2 amended by inserting after the fourth paragraph the following paragraph: -
- 3 Fifth, except in any proceeding where an unemancipated minor child is alleged to have committed a crime against a
4 family member, a parent of such unemancipated child shall not be compelled to testify in any proceeding against the
5 unemancipated minor child. A child, upon the showing that the parent possesses exculpatory evidence, may compel the
6 parent to testify. For purposes of this clause, the term "parent" shall mean the natural or adoptive mother or father or
7 stepparent of said unemancipated minor child, provided such relationship existed at the time of the event in question.