HOUSE . . . . No. 1288

The Commonwealth of Massachusetts

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PRESENTED BY:

John V. Fernandes

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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 adoption of the accompanying bill:

An Act establishing a parent child testimonial privilege.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
John V. Fernandes	*10th Worcester*	*1/15/2015*
Jeffrey N. Roy	*10th Norfolk*	*9/17/2019*
Carolyn C. Dykema	*8th Middlesex*	*9/17/2019*
Chris Walsh	*6th Middlesex*	*9/17/2019*
Michael O. Moore	*Second Worcester*	*9/17/2019*
Claire D. Cronin	*11th Plymouth*	*9/17/2019*
Stephen L. DiNatale	*3rd Worcester*	*9/17/2019*
Alice Hanlon Peisch	*14th Norfolk*	*9/17/2019*

HOUSE . . . . No. 1288

By Mr. Fernandes of Milford, a petition (accompanied by bill, House, No. 1288) of John V. Fernandes and others for legislation to establish a parent-child testimonial privilege. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1312* OF 2013-2014.]

The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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An Act establishing a parent child testimonial 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 20 of Chapter 233 of the General Laws, as appearing in the 2008 Official Edition,

2   is hereby 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

4   committed a crime against a family member, a parent of such unemanicipated child shall not be

5   compelled to testify in any proceeding against the unemancipated minor child. A child, upon the

6   showing that the parent possesses exculpatory evidence, may compel the parent to testify. For

7   purposes of this clause, the term "parent" shall mean the natural or adoptive mother or father or

8   stepparent of said unemancipated minor child, provided such relationship existed at the time of

9   the event in question.