

HOUSE No. 3098

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

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.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/20/2017</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	

HOUSE No. 3098

By Mr. Markey of Dartmouth, a petition (accompanied by bill, House, No. 3098) of Christopher M. Markey and Alice Hanlon Peisch for legislation to establish parent child testimonial privileges. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 1. Section 20 of Chapter 233 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the fourth paragraph the following
3 paragraph:-

4 Fifth, except in any proceeding where an unemancipated minor child is alleged to have
5 committed a crime against a family member, a parent of such unemancipated child shall not be
6 compelled to testify in any proceeding against the unemancipated minor child. A child, upon the
7 showing that the parent possesses exculpatory evidence, may compel the parent to testify. For
8 purposes of this clause, the term “parent” shall mean the natural or adoptive mother or father or
9 stepparent of said unemancipated minor child, provided such relationship existed at the time of
10 the event in question.