HOUSE DOCKET, NO. 295 FILED ON: 1/19/2021

HOUSE . . . . . No. 1751

The Commonwealth of Massachusetts

PRESENTED BY:

Jay D. Livingstone

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 regarding testimony after grant of immunity to a witness.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jay D. Livingstone	*8th Suffolk*	*1/19/2021*

HOUSE DOCKET, NO. 295 FILED ON: 1/19/2021

HOUSE . . . . . No. 1751

By Mr. Livingstone of Boston, a petition (accompanied by bill, House, No. 1751) of Jay D. Livingstone relative to testimony after grant of immunity to witnesses. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *3360* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act regarding testimony after grant of immunity to a witness.

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

SECTION 1. Section 20H of Chapter 233 of the General Laws, as appearing in the 2015 Official Edition, is hereby amended by striking the existing section and replacing it with the following:

Section 20H. If a witness has been granted immunity pursuant to the provisions of section twenty E and thereafter refuses to testify or produce evidence after being so ordered by the Court, the attorney general or district attorney shall institute contempt proceedings against such witness in the court where the alleged contempt occurred, and, after hearing or trial, if such witness is adjudged to be in contempt of court, they shall be punished, if they have attained the age of eighteen, by imprisonment in the state prison or the house of correction for a term not to exceed the maximum penalty for the crime which is the subject of the grand jury investigation or

criminal proceeding, or until they comply with the order of the court, whichever occurs first. A witness who has not attained the age of eighteen shall, if found in contempt, be committed to the Department of Youth Services for a period not to exceed one year, or until they comply with the order of the court, whichever occurs first. The rules of practice and procedure relative to criminal appeals as provided by the Massachusetts Rules of Criminal Procedure and the Massachusetts Rules of Appellate Procedure shall apply to appeals under this section.