

HOUSE No. 1595

The Commonwealth of Massachusetts

PRESENTED BY:

Nicholas A. Boldyga

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 to protect the confidentiality of journalistic news sources and information.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>1/17/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>8/5/2025</i>
<i>John R. Gaskey</i>	<i>2nd Plymouth</i>	<i>8/5/2025</i>

HOUSE No. 1595

By Representative Boldyga of Southwick, a petition (accompanied by bill, House, No. 1595) of Nicholas A. Boldyga relative to confidentiality of journalistic news sources and information during legal proceedings. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act to protect the confidentiality of journalistic news sources and information.

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. Definitions

2 As used in this act, the following words shall have the following meanings:

3 (a) "Journalist", anyone engaged in gathering, preparing, collecting, writing, editing,
4 filming, taping, or photographing news intended for dissemination to the public via a medium of
5 mass communication, including but not limited to bloggers, podcasters, authors, or credentialed
6 members of the media.

7 (b) "News", information of public interest concerning local, national, or international
8 events that the journalist believes is a matter of public concern.

9 (c) "Confidential Source", any person providing information to a journalist with the
10 express or implied agreement that the identity of the source will not be disclosed.

11 (d) "Unpublished Information", all information not communicated to the public by the
12 journalist, including notes, outtakes, photographs, or any other form of work product.

13 Section 2. Privilege

14 (a) Absolute Privilege for Confidential Sources. No journalist shall be compelled to
15 disclose in any legal proceeding the identity of any confidential source.

16 (b) Qualified Privilege for Unpublished Information. A journalist shall not be compelled
17 to disclose any unpublished information in any legal proceeding unless the party seeking such
18 information demonstrates:

19 (1) that the information is material and relevant;

20 (2) that the information is necessary to the resolution of the issue;

21 (3) that the information cannot be obtained by alternative means without undue hardship.

22 Section 3. Exceptions

23 This privilege may not be invoked if:

24 (a) disclosure is necessary to prevent imminent harm, including death, serious bodily
25 injury, or unjust incarceration.

26 Section 4. Applicability

27 This law applies to all legal proceedings, including criminal, civil, administrative, and
28 grand jury proceedings within the Commonwealth of Massachusetts.

29 Section 5. Protection in Criminal Proceedings

30 A journalist's privilege shall not be revoked solely because the journalist is accused of a
31 crime involving the information at issue unless the crime involves direct harm to an individual,
32 and the information is directly necessary to prove or disprove the criminal act, with the court
33 ensuring that any compelled disclosure is strictly limited to what is necessary for the
34 proceedings.