

SENATE NO. 848

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 2002 Official
2 Edition, 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 unemancipated 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 purposes
7 of this clause, the term "parent" shall mean the natural or adoptive mother or father or stepparent of
8 said unemancipated minor child, provided such relationship existed at the time of the event in
9 question.