

HOUSE No. 754

The Commonwealth of Massachusetts

PRESENTED BY:

Claire D. Cronin

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 relative to parent-child privilege.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-----------------------------|------------------------|
| <i>Claire D. Cronin</i> | <i>11th Plymouth</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> |
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> |
| <i>Ruth B. Balser</i> | <i>12th Middlesex</i> |
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> |
| <i>Marjorie C. Decker</i> | <i>25th Middlesex</i> |
| <i>Mike Connolly</i> | <i>26th Middlesex</i> |
| <i>Kay Khan</i> | <i>11th Middlesex</i> |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> |
| <i>Daniel Cullinane</i> | <i>12th Suffolk</i> |
| <i>Evandro C. Carvalho</i> | <i>5th Suffolk</i> |
| <i>Michelle M. DuBois</i> | <i>10th Plymouth</i> |
| <i>Chris Walsh</i> | <i>6th Middlesex</i> |
| <i>Jeffrey N. Roy</i> | <i>10th Norfolk</i> |
| <i>Thomas P. Walsh</i> | <i>12th Essex</i> |
| <i>Natalie Higgins</i> | <i>4th Worcester</i> |
| <i>Danielle W. Gregoire</i> | <i>4th Middlesex</i> |

Gerard Cassidy
Brian M. Ashe

9th Plymouth
2nd Hampden

HOUSE No. 754

By Ms. Cronin of Easton, a petition (accompanied by bill, House, No. 754) of Claire D. Cronin and others relative to testimony of certain parents or minor children. The Judiciary.

The Commonwealth of Massachusetts

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

An Act relative to parent-child 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 striking out the Fourth clause, and inserting in place
3 thereof the following:-

4 Fourth, in a proceeding before an inquest, grand jury, trial of indictment or complaint, or
5 any other criminal, delinquency or youthful offender proceeding where the victim in such
6 proceeding is not a family member and does not reside in the family household, neither the
7 parent nor minor child shall testify against the other without the other’s permission. For the
8 purpose of this clause the term, “parent”, shall mean the biological or adoptive parent,
9 stepparent, or legal guardian of a child. In cases where the victim is a family member and resides
10 in said household, the parent shall not testify as to any communication with such child that was
11 for the purpose of seeking advice regarding the child’s legal rights and decision making