

By Mr. Conte, a petition of John J. Conte and another for legislation relative to the admissibility in evidence of certain tape recordings. The Judiciary.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Sixty-Four.

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**AN ACT RELATIVE TO THE ADMISSIBILITY IN EVIDENCE OF  
CERTAIN TAPE RECORDINGS.**

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

1 Chapter 233 of the General Laws is hereby amended by  
2 striking out section 23A, as amended by chapter 242 of the  
3 acts of 1953, and inserting in place thereof the following  
4 section: — *Section 23A.* In any action to recover damages  
5 for personal injuries or consequential damages, so called, re-  
6 sulting therefrom, no statement in writing signed by any  
7 party to the action nor any statement which was recorded  
8 mechanically or electronically, concerning the facts out of  
9 which the cause of action arose, given by such party, or a  
10 person in his behalf, to any other party to the action, or to his  
11 agent or attorney, or to the insurer of such other party, or to  
12 the agent or attorney of such insurer, shall be admissible in  
13 evidence in, or referred to at, the trial of such action or in  
14 any proceeding connected therewith unless a copy of such  
15 statement or a duplication of such recording is furnished to  
16 the party making the same or to his attorney within ten days  
17 after written request therefor made by such party or attorney  
18 to the adverse party or his attorney, or within such further  
19 time as the court may allow on motion and notice.

The Government of the State

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