

By Mr. Segel of Brookline, petition of James Segel, Joseph F. Timilty, Charles F. Flaherty, Jr., James G. Collins, John A. Businger, Chester G. Atkins and another for legislation to provide a conditional privilege against compelled disclosure of content and sources of news. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT TO PROVIDE A CONDITIONAL PRIVILEGE AGAINST COMPELLED DISCLOSURE OF CONTENT AND SOURCES OF NEWS.

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 two hundred thirty-three of the General Laws is
2 hereby amended by inserting after section twenty I, added by
3 chapter four hundred eight of the acts of nineteen hundred and
4 seventy, the following section: —

5 *Section 20J.* (1) Except as provided in subsection (2) no
6 person engaged in the activity or who performs the function of
7 collecting, writing or editing news for publication shall be
8 adjudged in contempt by any court or other body having
9 contempt powers for refusing or failing to disclose the source
10 of any news coming into his possession in the course of such
11 activity or function or the content of any such news which has
12 not been published.

13 (2) The privilege conferred by subsection (1) shall not apply
14 with respect to the content of any news if the court or other
15 body having contempt powers finds that the official, body or
16 agency seeking disclosure has demonstrated (a) probable cause
17 to believe that the person has information which is clearly
18 relevant to a specific probable violation of any of the felonies set
19 forth in subsection (4) and (b) that the information sought
20 cannot be obtained by alternative means.

21 (3) As used in this section the following terms shall have the
22 following meanings:

23 “News” shall mean written, oral or pictorial information or
24 communication concerning local, national or worldwide events
25 or other matters of public concern or public interest or
26 affecting the public welfare.

27 “Person” shall mean natural person, corporation, trust or
28 unincorporated association.

29 (4) The felonies referred to in subsection (2) shall be limited
30 to murder, manslaughter, arson, forcible rape, kidnapping,
31 robbery, burglary, assault and battery to commit murder, to
32 collect a loan or with a dangerous weapon, extortion, bribery
33 or perjury.

HOUSE No. 3494

By Mr. Buckley of Abington, petition of the Mass. League of Cities and Towns, John R. Buckley and others relative to the vote required for local approval of certain laws passed by the General Court. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Three.

AN ACT PROVIDING FOR THE REVOCATION OF ACCEPTANCE STATUTES.

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 4 of the General Laws is hereby amended by
2 striking out section 4 and inserting in place thereof the follow-
3 ing section: —

4 *Section 4.* Wherever a statute is to take effect upon its
5 acceptance by a city, town, or district, or is to be effective in
6 cities, towns, or districts accepting its provisions, such
7 acceptance shall, except as otherwise provided in such statute,
8 be, in a city, by vote of the city council, subject to the
9 provisions of the chapter of such city, in a town, by vote of
10 the town at a town meeting or, in a district, by vote of the
11 district at a district meeting.

12 Revocation of such acceptance by a city, town or district
13 shall be in the same manner as such acceptance.

23 “News” shall mean written, oral or pictorial information or
 24 communication concerning local, national or worldwide events
 25 or other matters of public concern or public interest or
 26 affecting the public welfare.

27 “Person” shall mean natural person, corporation, trust or
 28 unincorporated association.

29 (4) The felonies referred to in subsection (2) shall be limited
 30 to murder, manslaughter, arson, forcible rape, kidnapping,
 31 robbery, burglary, assault and battery to commit murder, to
 32 collect a loan or with a dangerous weapon, extortion, bribery
 33 or perjury.